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President: Mr. Abuah (Nigeria)

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The PRESIDENT: I declare open the 733rd plenary meeting of the Conference on Disarmament.

It gives me great pleasure to welcome His Excellency Mr. Sardar Aseff Ahmed Ali, the Minister for Foreign Affairs of Pakistan, who will address the Conference today. It was only one year ago that he addressed the Conference, and I am sure that his presence among us again, today, is a reflection of the importance attached by his Government to this forum, particularly coming as it does at a time when the Conference has reached an important crossroads in its negotiation of a comprehensive test-ban treaty. Let me assure the distinguished Foreign Minister that his statement will be received with the greatest attention.

I also have on my list of speakers for today the representatives of Austria, Brazil, Slovenia, the Czech Republic, China and Mongolia.

I should now like to give the floor to the first speaker on my list, the representative of Austria, Ambassador Kreid.

Mr. KREID (Austria): Mr. President, let me congratulate you on the assumption of your important function and express to you my delegation's appreciation for your commitment to our common endeavour. At the same time I should like to extend to the Secretary-General of the Conference and to his team our thanks for their valuable support of our work.

I am taking the floor today on the issue of the comprehensive nuclear-test-ban treaty. Austria has, indeed, a paramount national interest in the CTBT as a major step towards a world free from nuclear weapons. My country is not only a non-nuclear-weapon State but situated in a region where, in the cold war era, the potential use of nuclear weapons was a considerable threat to its national security. Against this background, our unequivocal commitment to non-proliferation and truly comprehensive nuclear disarmament has developed early on into one of the pillars of our foreign policy. We associate ourselves fully with those countries which have, either individually or regionally, pledged themselves to remain nuclear-arms-free. It was also in the light of this non-nuclear maxim of her foreign policy that Austria has offered to host the future CTBT organization in Vienna.

Although we believe in the need for ultimate full nuclear disarmament, we are realistic enough to know that this is not an immediate option. We have taken good note of the debate, both within the Ad Hoc Committee on a Nuclear Test Ban and the Conference itself, with respect to the demand for a timebound framework for nuclear disarmament. We sympathize with the advocates of this approach because we also feel that the CTBT cannot represent the last word on the issue of nuclear arms. Yet we believe that we should not jeopardize the chance of coming to terms with nuclear testing in favour of too ambitious a concept.

We are persuaded that the conclusion of this treaty will also heighten mutual confidence and thus facilitate further concrete steps on the path towards nuclear disarmament. Indeed, the contours of a convention on a fissile material cut-off are already discernible. Needless to say that in

(Mr. Kreid, Austria)

such a context the issue of conventional armaments cannot be disregarded as we cannot envisage a world which agrees on nuclear disarmament but launches itself into a conventional arms race.

Let me now turn to the rolling text, with its brackets and unresolved passages. At this stage of the negotiations we do not believe that new and original ideas could or should be introduced. Neither do we see our role as giving good advice to CD members or reminding them of their moral obligation, because we are persuaded that they are fully pervaded by the urgency and the importance of our task.

Each delegation participating in this exercise knows how far it can go without giving up the essentials of its national position. These national positions are, of course, not the consequence of arbitrary or haphazard considerations, rather they are based on a careful and thorough analysis and they already contain far-reaching concessions. Indeed, had it been otherwise, this negotiation could never have started. It should be stressed that the test-ban negotiations so far have been a success story. After decades of frustration, in the last two years much ground has been covered, and we have finally come to the point where success seems to be within our immediate reach. If we let it slip away we might not have another chance for many years to come. This is why we need to make full use now of the available margins of manoeuvre in our negotiating positions in order to find the common ground for a final treaty text.

In the light of these considerations, we very much welcome the contribution made by Iran and Australia in providing us with a clean draft treaty text since we believe that in doing so these delegations have shown us the way out of the maze of brackets currently contained in the rolling text. In order to find a way out of this maze, we are equally satisfied to have the best possible guide in the person of the distinguished Chairman of the Ad Hoc Committee, Ambassador Jaap Ramaker, who is not only intimately acquainted with the existing pitfalls but in whose wisdom and discretion to find the appropriate compromise language we fully trust.

At this point I should like to address some of the substantial aspects of the CTBT which still await solutions. First of all, the issue of scope, which is at the very heart of the treaty. We believe that the scope should be defined in such a way as to guarantee effective compliance, which in turn means that the activities banned need to be adequately verifiable. Austria is therefore inclined to go along with the Australian model treaty text language on the zero-yield option. We appreciate that this very option has already been endorsed by some of the nuclear-weapon States and that all but one of them have decided to respect a moratorium on tests until the entry into force of the CTBT. Austria would appeal to China as the only country which still intends to proceed with nuclear-weapon test explosions to reconsider its position and to adhere to such a moratorium.

In any event the prohibition would need to include so-called "peaceful nuclear explosions". In view of the environmental and health consequences of all nuclear activities and in particular explosions, we oppose PNEs for

(Mr. Kreid, Austria)

reasons of principle. Such a provision would weaken the treaty to an unacceptable degree. Ambiguities as to their peaceful or military use would be inevitable and verification could become highly controversial.

In supporting the Australian text on scope we are ready to accept a certain degree of flexibility with regard to such aspects as preparations, hydronuclear experiments, other experiments and simulations which are beyond the purview of reasonable verification. To those who suggest that we need an absolutely "watertight" text, we would answer that they should not underestimate the normative faculties of the treaty. Not only will non-compliance elicit strong reactions by the other States parties to the treaty, but public opinion, which in this context must be regarded as a strong and growing influence, especially in the form of NGO activities, will certainly react with great sensitivity to activities which might not be formally banned under the treaty but could be considered to be incompatible with its spirit.

Having reviewed the options now available in the rolling text on the article on entry into force, Austria has a clear preference for a simple numerical formula whereby the number of 40 ratifications required seems to be a reasonable one. In adopting such a formula we could allay the fears of some delegations that the treaty would be held hostage by one or more States whose ratification is made a prerequisite for entry into force. It is an undeniable fact that we cannot compel any country to join the treaty if there is no, or insufficient, political will to do so. On the other hand, the fact that the negotiation of this treaty counts with the active involvement and support of all nuclear-weapon Powers can be interpreted as an indication of their interest in joining it. At any rate, we believe that we ought to provide for an arrangement which will lead to early entry into force of the treaty even if some important countries might be lagging behind for various reasons.

Let me mention in this context that we drew the attention of delegations to the possibility of provisional application. This proposal was made last June and is contained in working paper CD/NTB/WP.242. Recently, we had an opportunity to elaborate on this proposal in a non-paper, taking into account the remarks that had been made by other delegations on our last year's initiative.

Let me be very clear. We would, as I just mentioned, prefer the adoption of a simple numerical formula, but we believe that in the absence of such an agreement, the procedure of provisional application constitutes an alternative to the idea of the so-called waiver conference which is worth considering for various reasons. First of all, it would not affect in any way the formal conditions set forth in the treaty for its entry into force, whereas the waiver construction requires that exceptions be made. Secondly, the provisional application would serve only as a temporary measure until the formal requirements for entry into force have been fulfilled. Once these formal requirements are fulfilled the provisional application would end. Thirdly, and this could turn out to be very useful, the figure of provisional application as such is not limited to the criteria laid down in the article on entry into force. It could, with the necessary amendments, also provide a legal framework for the adoption of decisions which need to be taken within

(Mr. Kreid, Austria)

the first years after signature, such as in connection with the establishment of the international monitoring system, that is, at a time when the treaty will most certainly not have entered into force. Summing it up, the advantage of this approach is that it is flexible and reversible and that it permits us to address situations which might emerge in the future but which cannot be anticipated now.

Let me now touch upon some of the more technical problems of the comprehensive nuclear-test-ban treaty still waiting for settlement. It should be stated very clearly that a treaty of such significance lacking an effective and comprehensive verification regime would be, as it were, without bite. How difficult it is to add even modest verification regulations later on, we are just now witnessing with regard to the Biological Weapons Convention and the 1980 United Nations Conventional Weapons Convention. We therefore firmly believe that an effective verification system must be part and parcel of the final agreement.

The technical key components of the future verification regime are the international monitoring system with its four monitoring techniques and the international data centre, the task of which will be to provide States parties with well-defined standardized products and services, such as a daily standard event bulletin, a daily standard event list and standard event screening. Noble gas monitoring should be part of the radionuclide component of the IMS as noble gases might, under certain circumstances, be the only information carrier leaving the scene of a clandestine nuclear test. At the same time Austria is not in favour of including either satellite monitoring or electromagnetic pulse observation in the IMS in view of the considerable additional costs this would entail.

With reference to radionuclide technology, I am pleased to announce that Austria is presently taking steps to put at the disposal of the CTBT organization the laboratory in Seibersdorf. The necessary supplementary data for the inclusion of this facility in the table of primary laboratories attached to the draft protocol on verification will be made available by my delegation to the distinguished Friend of the Chair on IMS in the near future.

The on-site inspection problem is the most daunting and bewildering on our agenda. Let me briefly elaborate on it. First of all, only States parties should be entitled to ask for an on-site inspection when suspicion arises. "Free riding" should not be permitted. Secondly, the process of clarification of suspicious events should, because of the importance of time-critical phenomena, not delay the preparation of an on-site inspection. Clarification should take place in parallel and need not necessarily be concluded before the inspection is carried out. Thirdly, national technical means should not, a priori, be disavowed as they can be very valid in detecting a suspicious event. At the same time we recognize and accept the existing reservations against this concept. We therefore consider the compromise proposal put forward by France as very attractive: to apply the so-called red light approach in case of an IMS and NTM trigger in order to be consistent with time-critical elements; and to rely on the green light approach when national technical means are the only basis for the OSI request. This approach would make sure that the treaty and its operation respect the

(Mr. Kreid, Austria)

overriding principle of procedural non-discrimination against States parties which have no such means at their disposal but against whom information based on national technical means is being used in the proceedings.

Fourthly, as to abusive triggering of on-site inspections, this is not only a question of wasting money since setting in motion the whole inspection mechanism is a very costly matter at the expense of all States parties. There is an additional non-monetary aspect since abusive triggering could considerably harm the treaty's, and its organization's, credibility. Therefore abuses of the OSI procedure should be put under severe sanctions, such as payment of compensation of all costs caused, suspension of the right to request an on-site inspection for a certain period of time, as well as suspension of the right to serve on the Executive Council for a time to be determined.

Because of its comprehensive tasks, the CTBT organization will be of a very special nature. The great amount of know-how and technology involved in order for it to be able to carry out its verification functions through a worldwide international monitoring system opens up new perspectives of global cooperation. Let me assure you that Austria, as the potential host country of this organization, is ready to take all the necessary steps in order to guarantee to the CTBT organization appropriate working conditions.

Before concluding, let me briefly touch upon the issue of membership. Two weeks ago we had the honour to listen to the very pertinent thoughts of the Secretary-General of the United Nations on the urgency for the CD to conclude the CTBT this year and on the necessity for the CD to be successful. The Secretary-General went on to say that the political and geographical balance of the CD's membership and the special arrangements which have been made to allow more than 50 non-member States to participate in it make the Conference a forum for negotiation "that is unique of its kind and guarantees that all viewpoints will be heard". This may be so, but we still believe that it is not sufficient to be heard. We feel that the CD, as an institution, is at odds with the international political culture of allowing sovereign States to participate in the decision-making process on matters which affect their immediate national interests: it appears as an anachronism that such important treaties as the Chemical Weapons Convention and the CTBT, which are destined for universal adherence, are being or have been negotiated by a small group of countries on behalf of all States. A decision on expansion is overdue.

The PRESIDENT: I thank the representative of Austria for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Brazil, Ambassador Lafer.

Mr. LAFER (Brazil): May I begin by expressing to you, Mr. President, the satisfaction I have in taking the floor this morning under your presidency of the Conference on Disarmament? The diplomatic experience and the ability you have displayed since assuming this incumbency provide us an assurance of skilful and able guidance through trying times still ahead. You can count on the Brazilian delegation for full cooperation and support in your endeavours.

(Mr. Lafer, Brazil)

I would also like to take this opportunity to thank your predecessors, Ambassadors Jaap Ramaker of the Netherlands and U Aye of Myanmar, for their untiring efforts in dealing with the difficult issues before the Conference.

Nuclear-weapon tests were as sadly characteristic of the cold war years as were soaring military budgets and ever-growing and increasingly sophisticated nuclear arsenals. As an activity inextricably linked to the perverse logic of nuclear weapons improvement and stockpiling, nuclear tests are today perceived as disturbing remnants of a bygone era. The reaction to the latest tests drove home the point that the current international political environment, as well as important constituencies within States, no longer tolerate them. In the next few months, the challenge for the Conference on Disarmament and for all those States involved in the CTBT negotiations is to legally and definitively make clear that nuclear tests are a thing of the past.

As many other States represented around this table and in this hall, Brazil has been calling for a comprehensive nuclear test ban for nearly four decades. We did so during all those years, as we do now, because we believe in the intrinsic value of such a treaty both as creating an impediment with regard to the perfecting and development of nuclear weapons, and as a necessary and fundamental step in the process of nuclear disarmament.

The non-proliferation dimension of a CTBT is as significant as it is unprecedented. A truly comprehensive, true-zero ban should in effect bar nuclear weapons development and qualitative improvement. It is doubtless a refreshing prospect to be able to close the door on the possibility of one day having to deal with such things as a "nuclear shotgun", an enhanced-electromagnetic pulse or radiation weapon, or even a microwave weapon, as pointed out in this room last January by United States Arms Control and Disarmament Agency (ACDA) Director John Holum. But it is also important to place the CTBT in its proper context with regard to nuclear disarmament. It is our view that the CTBT's impact will inevitably transcend the prohibition it imposes on testing, giving it an even more meaningful and far-reaching raison d'être. By banning an activity essential for carrying on with the development and improvement of nuclear weapons, the CTBT is rightly looked on by many as an essential step in the process of bringing the reversal of the nuclear arms race to its logical conclusion: elimination of nuclear weapons at the earliest possible time under a multilateral process of nuclear disarmament. This aspiration should form part of the treaty itself.

One of the most welcome spin-offs of the end of the cold war has been a trend towards smaller nuclear arsenals on the part of the nuclear-weapon States, as a result of both bilateral and unilateral actions, some of which have taken place in the first months of this year: in January, ratification of the START II treaty by the United States, hopefully soon to be followed by the Russian Federation; last month, the announcement by the French Government of its decision to close all land-based nuclear operations as well as French Pacific test sites. Other related positive developments should also be mentioned: the end of production of fissile material announced by the United States, the United Kingdom and France, and, just a few days ago,

(Mr. Lafer, Brazil)

on 25 March, the signature by those three countries of the Rarotonga Treaty protocols, through which they pledge to respect that area of the world as a nuclear-weapon-free zone.

There can be no denying the importance of measures such as these and of their bearing on international peace and security. But precisely because of this global impact, because every State, nuclear or non-nuclear, has a stake in their outcome, measures relating to nuclear disarmament should be addressed within the sole multilateral disarmament negotiating body. As what Immanuel Kant would call an "encompassing reason of humanity", nuclear disarmament pertains to all States, great and small.

Agreement on the immediate establishment by the CD of an ad hoc committee on nuclear disarmament, a decision long sought by my country and shared by the Group of 21 and by others in this hall, would, for its part, signal readiness on the part of nuclear weapon arsenal holders to start discussing ways and means for their reduction with other concerned members of the international community. There would be no lack of material for such a committee to discuss. Besides effectively engaging the international community in a nuclear disarmament effort, the committee could, among other functions, examine suggestions such as a negotiated and verifiable agreement to ban the future production of nuclear weapons, as put forward by New Zealand; the establishment of a phased programme for progressive reduction of nuclear weapon stockpiles, as articulated by India; as well as the relevant proposals which should be forthcoming from the Canberra Commission. A concrete role by the CD on nuclear disarmament would, moreover, go a long way in reassuring all States that the step represented by the CTBT does not fall exclusively within the purview of principles and objectives of treaties to which not all States are parties, but rather that such a step is firmly embedded in a systematic and determined pursuit to rid the world of nuclear weapons undertaken by the Conference on Disarmament.

To reflect on the true role of the Conference as the sole multilateral disarmament negotiating body is also to realize how overdue the question of its expansion has become. Brazil wholeheartedly supported the decision on expansion adopted last September (CD/1356), and could agree to its immediate implementation. We hope general agreement can soon be reached on the date on which the 23 States referred to therein will all assume together membership of the Conference.

As to the recurring question of non-governmental organizations and their relationship with the CD, Brazil is in favour of them playing a more active and direct role in the work of the Conference. As I expressed in a previous statement in this plenary on 14 September last year, it seems to us unjustifiable that NGOs find themselves excluded from the activities of the CD.

One week from today the CTBT Ad Hoc Committee, already working inter-sessionally, will adjourn until early May. The intervening four weeks will be a crucial time for capitals to assess the work done so far and to make the decisions that are needed for the Committee to be able to finalize its work by the end of the second part of this year's CD session. This would

(Mr. Lafer, Brazil)

enable the Conference to live up to the international community's expectation, as reflected in United Nations General Assembly resolution 50/65, and have a treaty ready for signature by the outset of the fifty-first session of the General Assembly. For such a tight calendar to be kept, negotiations will have to move into an end-game phase in May/June, and needed trade-offs would have to take place then. Recently, Iran and Australia have shown that to have a workable treaty in 1996 is a viable proposition, provided the political will is there to give life to it. The Ad Hoc Committee Chairman, Ambassador Jaap Ramaker, has a critical role to play at this juncture. We are confident in his wisdom and judgement and offer him all our support in the crucial task that lies ahead. For its part, Brazil will continue to work for solutions which may command general acceptance and thus help achieve a universal treaty in the time-frame set by the General Assembly. We have already been doing our utmost in attempting to accommodate all reasonable concerns and in contributing to a meaningful and effective treaty text, and will continue to do so.

I will briefly touch upon some of the major issues still pending. Over a year ago, Brazil gave its support to the scope formulation put forward by Australia in working paper CD/NTB/WP.222. The solid and still growing support that text enjoys today clearly shows a large body of opinion in favour of a truly comprehensive, zero-yield ban on any nuclear-weapon test explosion or any other nuclear explosion, without exceptions or conditions. We hope this trend widens to encompass all States participating in the negotiations.

As to the thorny issue of entry into force, our view is that provisions should reflect a balance between two types of considerations. On the one hand, the formulation should avoid discriminatory elements, such as explicitly naming the five nuclear-weapon States. Other the other, it should take into account the fact that without the participation of countries that have the capacity to test, the CTBT would in fact be devoid of real value. Combining a certain number of States with a waiver provision may offer a solution. We look forward to exploring possibilities on this topic in the coming weeks under the guidance of Ambassador Antonio de Icaza.

Another issue central to the negotiations is the composition of the Executive Council. We consider Ambassador Benjelloun-Touimi's first "non-paper" on the subject a useful basis for discussion and thank him for that effort. We have conveyed our comments to him, which I would like to summarize here. We are in agreement with the principles that no State party should be excluded from the Executive Council and that at least 30 per cent of seats in each region should be filled according to certain criteria. The CTBT organization should be in a position to objectively determine to what extent each State party fulfils such criteria, whose order of priority would best be established in the treaty itself. The creative suggestion of establishing six regional groups as a middle ground between the IAEA formula and the usual United Nations geographical distribution is worth pursuing further. In a 45-member Executive Council, the Latin American and Caribbean region must at least maintain the same numerical proportion it enjoys with regard to the total number of States in the world, which means eight Council seats, not seven.

(Mr. Lafer, Brazil)

We will also be actively seeking solutions in other important areas of the treaty, such as on-site inspections and the means for triggering them; the international data centre and the level and extent of analysis done there; and ways and means to reach agreement with regard to funding the international monitoring system and the CTBT organization.

We have waited many years for a CTBT. It looks as though the opportunity for it to become a reality is finally within our grasp. Let us make the most of the time ahead of us and live up to the international community's expectations.

The PRESIDENT: I thank the representative of Brazil for his statement and for the kind words addressed to the Chair. I now have the honour to give the floor to the distinguished Minister for Foreign Affairs of Pakistan, His Excellency Mr. Sardar Aseff Ahmed Ali, to deliver his important communication to us.

Mr. SADAR ASEFF AHMED ALI (Pakistan): It is a pleasure to be with you once again in the Conference on Disarmament. You are ending the first part of your session at a crucial juncture in your negotiation of the comprehensive test-ban treaty (CTBT). It is a very happy augury that, at this critical moment, an able and skilled diplomat from friendly Nigeria is presiding over the Conference's proceedings. We are confident that you will contribute in no small measure to the success of the CD's endeavours.

At the start of our session this year, there were doubts whether we would even be able to resume our negotiations. Now there is a sense of confidence that, notwithstanding over 1,200 brackets in the "rolling text", the CD will conclude the CTBT in the near future. We look forward to the text which will be put forward later today by the very able Chairman of the Ad Hoc Committee. Like the Iranian and the Australian texts, this will no doubt provide most useful indicators of the possibilities for compromise on various outstanding issues.

The success of our negotiations is, however, not yet a foregone conclusion. More significant than the thousand and one brackets are those few important issues on which agreement remains to be achieved. I wish to review Pakistan's position on these issues today.

First, we must evolve a clear and genuine consensus on the scope of the CTBT. A convergence appears to have developed around the Australian formulation to prohibit all nuclear-test explosions. Yet, there are doubts whether this formulation will ensure that the ban on testing will be truly comprehensive and that it will serve the objective of halting the qualitative development of nuclear weapons.

To move towards a genuine consensus, it will be necessary to elaborate, in some way, that the treaty will ban all nuclear testing at any threshold. To this end, the concept of a "zero-yield" ban needs to be more clearly explained, understood and accepted by all States. We would not be satisfied with a separate agreement on this issue between the five nuclear-weapon States, outside the treat negotiations.

(Mr. Sadar Aseff Ahmed Ali, Pakistan)

Simultaneously, Pakistan is concerned that some nuclear-weapon States do not appear to be committed to the objective of halting the qualitative development of nuclear weapons. For the non-nuclear-weapon States, the prime attraction of the CTBT has been that it will stop vertical proliferation - in other words, the qualitative development of new nuclear weapons and nuclear-weapon systems. Despite statements made here by senior officials of some nuclear-weapon States, we are now given to understand that halting the qualitative development of nuclear weapons cannot be an explicit objective or purpose of the CTBT.

This is a matter of great concern to Pakistan. The CTBT is supposed to be a first step in the process of nuclear disarmament. If the CTBT does not in fact prevent nuclear-weapon States from developing new systems of nuclear weapons, there will be no assurance that, in an action-reaction sequence, the world will once again not witness a new nuclear arms race. If the treaty does not halt the qualitative development of nuclear weapons, it will not contribute in any significant way to the goal of nuclear disarmament. We will therefore continue to seek an adequate and legally binding commitment to halting the qualitative development of nuclear weapons.

Pakistan and other non-aligned countries have also sought explicit commitments in the CTBT on nuclear disarmament. We are most disappointed that this desire has been brushed aside by the nuclear-weapon States so far. Pakistan will continue to press for a commitment to nuclear disarmament in the CTBT.

We have not endorsed the proposal which would make the treaty's realization dependent on the commitment of the nuclear Powers to nuclear disarmament within a specific time-frame. But we strongly support the position taken by the Group of 21 in document CD/1388. The Group of 21 has proposed that the Conference on Disarmament "establish an ad hoc committee on nuclear disarmament to commence negotiations on a phased programme of nuclear disarmament for the eventual elimination of nuclear weapons within a specified framework of time". It has further proposed that "the negotiations in the framework of this ad hoc committee should commence immediately after the conclusion of the comprehensive-test-ban-treaty negotiations in 1996".

If the world believes that the CTBT represents the first step towards nuclear disarmament, it is time for the CD to identify and propose subsequent steps which are required to promote nuclear disarmament and the eventual elimination of nuclear weapons. The resistance of some nuclear-weapon States to this reasonable proposition creates doubts and suspicions regarding their professed commitment to nuclear disarmament. We sincerely urge these States to respond to the historic opportunities that are available today and to take the steps necessary to create a future for our world free of nuclear weapons.

The opening of negotiations on nuclear disarmament will respond to the long-standing aspiration of the world community. It would also facilitate acceptance of the CTBT by all States and thus ensure its early entry into force.

(Mr. Sadar Aseff Ahmed Ali, Pakistan)

The provisions on "entry into force" in the CTBT will be critical for its success. To be effective a test ban must be universal. We must not contemplate a solution where one or more States capable of conducting nuclear explosions are not party to the treaty. Pakistan's signature and adherence to the CTBT will be dependent on our confidence that all nuclear-weapons States and nuclear-capable States will join the treaty.

The third area in the CTBT negotiations where clear decisions are needed quickly is the question of on-site inspections (OSI) and possible use of national technical means (NTMs). We are most concerned about some of the proposals advanced on these issues.

First, the use of NTMs as a "trigger" for OSI would allow the use of information which could be subjective, selective and unreliable. The international monitoring system (IMS) which is to be established at great cost and with the participation of all parties, should constitute the backbone of CTBT verification. It is information gained through the IMS which should provide the basis for initiating an OSI, whenever such inspections are necessary.

Second, we will continue to insist that an OSI must be approved by the Executive Council of the future CTBT organization. This is the only way to ensure that such politically sensitive decisions are taken collectively after due care and consideration thus reducing the possibilities of selectivity and abuse.

Third, for much the same reasons, the authority to sit in judgement on matters regarding compliance with the treaty must also be vested in the Executive Council and not rest with individual States parties. It is the collective political organs of the organization which should have the responsibility to oversee the operation of the treaty to ensure its effective implementation. We should not countenance any mechanism which bypasses the political and technical role of the CTBT organization.

We are aware that certain bilateral and regional arms control treaties allow the use of NTMs for purposes of verification. The acceptance of these provisions is based on the matching national capabilities of the participating countries. This provides a built-in safeguard against abuse. On the other hand, multilateral treaties, which seek universal adherence, require procedures that are transparent, which offer equal access to all parties, and which ensure non-discrimination in the application of politically sensitive instruments for treaty verification.

These views are shared by other delegations. We hope that, in the formulation of the revised proposals on OSI, these views will be fully taken into account. Our historical experience of undue harassment makes Pakistan specially sensitive to issues concerning the possible misuse of on-site inspections. We believe our concerns can be accommodated without in any way diminishing the credibility of the CTBT's verification regime.

Pakistan looks forward to the early conclusion of the CTBT. We have supported this goal for over 30 years. We are not about to change our mind

(Mr. Sadar Aseff Ahmed Ali, Pakistan)

now that the moment of truth is here. Pakistan continues to believe that the CTBT will be good for the world and it will be good for our region. It will realize the aims of the regional test ban which Pakistan had proposed for South Asia in 1987.

We in Pakistan remain concerned that there could be another nuclear test across our border. This could lead to a grave situation and seriously compromise prospects for non-proliferation. We continue to look for categorical assurances from India against such an event. Instead we have heard statements asserting that India will "keep its nuclear options open". We hope, nevertheless, that a positive response will come from Prime Minister Rao to Prime Minister Bhutto's proposal to discuss a nuclear-weapons-free future for our countries.

The PRESIDENT: I thank the distinguished Minister for Foreign Affairs of Pakistan for his important statement and for the kind words addressed to the Chair. I now give the floor to the representative of Slovenia, Ambassador Bebler.

Mr. BEBLER (Slovenia): May I, first of all, join the previous speakers who addressed to the President, to his predecessors, to the Secretary-General and to the hard-working staff of the Conference on Disarmament, their compliments and assurances of full cooperation?

Now, let me turn to some questions related to the comprehensive test-ban treaty and to the future CTBT organization. The Republic of Slovenia wholeheartedly advocates the conclusion in 1996 of an effectively verifiable comprehensive nuclear-test-ban treaty (CTBT). This international compact, concluded without conditions related to other arms control and disarmament issues and universal in scope, should impose a global ban on all nuclear explosions and be effective as soon as possible.

We fully support the establishment of the CTBT organization in Vienna, co-located with the International Atomic Energy Agency (IAEA) and other organizations in the Vienna International Centre. The Agency has a proven capacity and its secretariat estimated that considerable savings in administrative and management services, in the start-up time and costs for the CTBT organization could be obtained if the Agency is entrusted with rendering these services to the CTBT organization as part of its regular functioning.

We are now witnessing, also in Geneva, a dire financial crisis in the United Nations system due mostly to the huge sums of unpaid membership dues. Under these conditions it would be highly inappropriate to duplicate the already existing IAEA facilities and to waste precious resources on building up highly specialized expertise and very expensive installations separate from IAEA. We think that IAEA ought to be placed in a similar position toward the CTBT organization as the United Nations Centre for Human Rights has toward several human rights treaties monitoring bodies. On the basis of this analogy, the Agency would provide all necessary services to the Conference and the Executive Council of the organization, the CTBT technical secretariat would operate from within the Agency and the international monitoring system would be developed in such a way as to make full use of the existing Agency

(Mr. Bebler, Slovenia)

capabilities. Such arrangements would not only be logical but would provide for the right combination of cost-effectiveness and organizational efficiency. While thoroughly assuring the attainment of the desired lofty goals of banning for ever all nuclear explosions and, hopefully, putting brakes on the qualitative development of nuclear weapons, the new CTBT organization would not unduly financially burden its member States.

I think that it would be worthwhile if a group of interested Ambassadors visits IAEA and the Vienna International Centre, inquires about the most practical arrangements for the CTBT organization and reports back to the Conference on Disarmament.

Slovenia has some expertise and facilities relevant for the CTBT organization. I hope that we shall be able to offer to the new international monitoring system our Ljubljana seismological station which already possesses the three-component capacity and is being upgraded to an array. However for reasons of equity we feel that a share of the contribution credit in each member State's assessed obligation toward the organization ought to be limited for instance, to a half. The cost of running the organization and particularly the international monitoring system should not fall too heavily on the non-nuclear States who do not possess first-grade nuclear detection facilities.

My country is number three on the honour roll of contributions to the United Nations regular budget in 1996. We certainly intend to fully and timely discharge our international obligations also in the future and also to the new CTBT organization. This is why we are concerned about appropriate arrangements related to the CTBT organization, about the prevention of costly waste and the possible creation of superfluous bureaucratic bodies.

Let me quote in this respect the United States Permanent Representative to the United Nations. Ms. Madeleine Albright stated only several months ago: "Unfortunately, we have allowed a system to develop ... in which bureaucratic turf is divided and subdivided again, so that each entity can claim a unique role, but few can operate successfully without help from others. This results, in turn, in the creation of yet more entities to coordinate among those already in existence ... A fundamental question ... concerns the will and ability of Member States to pay for UN activities. Many Member Governments are behind in their payments to the UN regular budget, including my own ... Our goal should be a UN system that is more productive for all its members, East, West, North and South. Nations aspiring to expand their economies don't need more UN bureaucrats. That's why we want a United Nations that talks less and produces more; a United Nations that spends less on salaries, stationery and ceremonies and more on services that save and enrich people's lives."

In the spirit expressed by Ambassador Albright I wish to express my belief that the Conference on Disarmament should continue to investigate the option originally proposed by the United States of America that IAEA perform all secretariat functions of the new CTBT organization.

The PRESIDENT: I thank the representative of Slovenia for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of the Czech Republic, Mr. Venera.

Mr. VENERA (Czech Republic): Mr. President, I congratulate you on behalf of the Czech delegation on your presiding over the Conference on Disarmament and assure you of our full support. As a relatively long period of time has elapsed since I previously addressed this forum, I would also like to thank all your predecessors in this post who, especially over the past two years, have exerted great efforts to cope with the complex questions concerning both the Conference agenda and the enlargement of its membership. On this occasion, I would also like to welcome the representatives of member and non-member countries who have recently assumed their posts in Geneva and my delegation is looking forward to fruitful cooperation with them.

The Czech Republic continues on the path to the country's full integration in the European economic and Euro-Atlantic security structures. This process reflects the willingness and readiness of the Czech Republic to share the advantages of a common market but also responsibilities for its protection and promotion of democracy. It is based on the legitimate expression of sovereignty of the Czech Republic and the achievement of the goal we have set ourselves is by no means directed against any country. On the contrary, we are convinced that the fulfilment of our efforts will contribute to the strengthening of security and stability not only in central but in the whole of Europe. To this end, we pay a lot of attention to questions of arms control and disarmament as well as to those concerning international security including the security of our own country.

The Czech Republic highly appreciates the efforts exerted by the Conference on Disarmament in 1994 and 1995 within the negotiations on the comprehensive test-ban treaty (CTBT) and its current endeavour to accomplish this work. We strongly support a universal, transparent and effectively verifiable treaty of a non-discriminatory character, implying identical rights and obligations for all States parties. We support the true-zero-yield option and reject calls for so-called peaceful nuclear explosions with regard to their uselessness and above all with regard to their lack of credibility.

In our opinion it is important to have an absolutely transparent verification system, open to all States parties to the treaty. We regard the currently proposed system, based on four technologies (seismology, hydroacoustics, infrasound and radionuclide monitoring) combined with on-site inspections, as well balanced and sufficient for deterring any potential violator to the treaty. This is why we support accepting the package elaborated by experts, in particular by the Group of Scientific Experts (GSE), without delay, as we consider this very technology of primary importance within the verification system. The Czech Republic highly appreciates the work done by the GSE and supports the current global technical test, GSETT-3. The Czech Republic has been participating actively in the work of the GSE and participates in GSETT-3 by providing data from its seismological station. We understand that the future verification system can be effective only when it is a truly cooperative undertaking with true global coverage. We are thus prepared to cooperate with the future CTBT organization and provide seismic

(Mr. Venera, Czech Republic)

data to the international monitoring system (IMS) from the station already used in GSETT-3. It is clear that the key role in the verification system will be played by the international data centre (IDC) to be established as a part of the future CTBT organization. The IDC should be responsible not only for data collection and data exchange, but also for efficient data processing. This should guarantee full access for all States parties to the relevant information. The right to decide about an on-site inspection should then be reserved for the CTBTO Executive Council. The IDC or the CTBT organization's technical secretariat should not be making any final judgement on the character of any event detected. However, the IDC should be able to provide the States parties with all parameters characterizing the event under judgement. The IDC will have to prove its ability to support the Executive Council negotiations in all scientific and technical aspects and to keep the highest standards based on the most advanced States' levels. To do so, the IDC will have to be capable to work also with data provided by national technical means, once the Executive Council accepts them for analysis of any ambiguous event.

As far as the future CTBT organization is concerned, our preference is for an organization that would be in the position to act independently. We support the candidacy of Vienna and hope that all the outstanding questions will be settled as soon as possible and thus create a basis for effective and also cost-efficient work of the organization.

Like all the international community we, too, wish and hope that the text of the treaty will be finalized in Geneva by the end of June 1996 and that the treaty will be submitted by the Secretary-General to the General Assembly for signature at its fifty-first session so that it could enter into force as soon as possible.

The Czech Republic regards complete elimination of nuclear weapons as an ultimate goal of the Conference on Disarmament. We are however convinced that this goal may be attained only by stages within general and complete disarmament under strict and effective international control. The first steps in this direction have already been taken: we have the START I and START II bilateral treaties concluded between the United States and the Russian Federation, the unilateral decisions by the United States and France to halt the production of fissile materials for military purposes, the observance of the moratorium on nuclear testing by the United States, the United Kingdom, the Russian Federation, being recently rejoined by France, as well as the extension of the Non-Proliferation Treaty for an indefinite period. Another step would be the comprehensive test-ban treaty which I have already mentioned. The irony of fate is that if the negotiations on the treaty are completed this year, the Conference on Disarmament will, judging by the present state of affairs, lose the only item on its agenda. This is why we appeal to all member States to make efforts to reach a consensus on the need to include in the agenda another step towards nuclear disarmament, that is, the conclusion of a treaty banning the production of fissile material for military purposes ("cut-off").

(Mr. Venera, Czech Republic)

There is no doubt that apart from nuclear weapons, it is chemical weapons which belong to the most dangerous means of waging war. Their relatively cheaper production in comparison with nuclear weapons increases the tremendous risk of their future proliferation and potential use. It was therefore essential that efforts of the international community to eliminate this category of weapons of mass destruction culminated in the finalization of the text of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons at the 1992 Conference on Disarmament.

The Czech Republic has never possessed or produced chemical weapons and neither have they ever been deployed on its territory. The humane idea of their complete ban and elimination has always had our full support. A practical expression of this support was the signing of the Convention in January 1993, its approval by the Government and the Parliament of the Czech Republic last year, its ratification by the President of the Republic in February this year and the deposition of the instruments of ratification with the United Nations Secretary-General on 6 March 1996, thus becoming the forty-eighth State to do so. The national bill together with the implementation decrees is expected to be approved by the Parliament in the first half of this year. Under the Convention, the Czech Republic is involved in a whole series of activities, through seminars, the participation of Czech research institutes in comparison test programmes or the training of inspectors. We sincerely wish the Convention to become a universal internationally binding document as soon as possible, opening a way for early establishment of the Organization for the Prohibition of Chemical Weapons.

The Czech Republic attaches great importance also to the prohibition, elimination and non-proliferation of biological and toxin weapons. It regards the respective Convention as a binding international document and although it neither possesses nor develops any kind of biological weapons, it has been annually providing all necessary data in the form of non-mandatory declarations.

At the same time the Czech Republic is well aware that the Biological Weapons Convention does not reflect the current international relations and developments, lacking at the same time an effective verification system. There are still attempts to obtain sophisticated technologies which create the danger of their misuse for the production of this type of weapons. It is therefore our view that all available international forums should be used for strengthening the Convention and the mechanisms of non-proliferation of biological and toxin weapons. In this connection we are convinced that the prepared control measures, which we fully support, will be adopted by the Convention evaluation conference to be held towards the end of this year.

The Czech Republic shares the view of the majority of the States parties that the elaboration, adoption and implementation of the verification protocol to the Convention will be the best way of solving the problem and of eliminating once and for all time this category of weapons of mass destruction.

(Mr. Venera, Czech Republic)

The so far relatively meagre achievements in the implementation of the 1980 Inhumane Weapons Convention confirm the grounds for the views, also shared by the Czech Republic, that the Convention, and in particular its Protocol II, ought to be strengthened and equipped with an effective control mechanism. It is regrettable that this has not been done already at the first session of the Review Conference in Vienna in October 1995, where the military aspects apparently prevailed over the humanitarian ones.

Should the Convention become an effective international treaty it is equally important to make it universal. Therefore we all should try hard to encourage countries, both mine producers and those mine-stricken, to become active States parties to the Convention.

The Czech Republic is among the countries which have already taken practical steps to reduce the use of anti-personnel land-mines. These include the declaration of a three-year moratorium on the export of all types of anti-personnel land-mines in 1994 as well as the readiness to further extend the moratorium after its expiry in 1997. Within the solution of this global problem, the Czech Republic has also decided to destroy all its stockpiles of undetectable mines of the said type.

I cannot fail to address also one of the neuralgic points on the agenda of our Conference, that is, expansion of membership. Not to speak of the United Nations General Assembly resolutions which are quite explicit on this point, we cannot but agree with those who voiced even in this forum the view that the current membership has long ago ceased to reflect the realities and needs of the world today. The effectiveness of international treaties on arms control and disarmament, for which this Conference is the only negotiating body, increases in parallel to the growing universality of their adoption. Should the achievement of such universality be the ultimate objective, the negotiating process cannot be in the hands of a chosen few, with many others deprived of the possibility to "make their case" in decision-making on these vital issues.

The first part of this year's session is drawing towards its end, offering an opportune moment for making a balance sheet. Unfortunately, developments have mercilessly proved that the proposal by the former Special Coordinator of 1993 was unacceptable, so much the less its adoption last year in the form of the decision contained in CD/1356. Its implementation is now totally and hopelessly deadlocked, preventing not only the admission of the 22 "innocent" candidates from G-23, but also the admission of 13 candidates in the subsequent stage. If member States genuinely wish that the Conference should not remain an élite club, they should submit as soon as possible a draft proposal on how to cope with the present situation. So far, there exists only one such proposal which has not however equally been accepted. I have in mind document CD/1362 submitted by the United States delegation on 22 September 1995. We recommend that the proposal should be discussed in the plenary session of the Conference and each delegation should clearly and unequivocally express its opinion. The adoption of the proposal would at the

(Mr. Venera, Czech Republic)

same time solve the problem of succession of the Slovak Republic in respect of former Czechoslovakia, although we still hold the view that this particular question is in fact another outstanding debt of the Conference not linked to the question of expansion.

The Czech delegation and I personally believe that the year 1996 will be a significant milestone in the history of the Conference, marking the successful completion of CTBT talks as well as the overcoming of the crisis in understanding concerning the agenda and membership. The Czech Republic wishes to contribute to achieving this aim to the best of its abilities and using the capacities provided to it for this purpose.

The PRESIDENT: I thank the representative of the Czech Republic for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Sha.

Mr. SHA (China) (translated from Chinese): Mr. President, may I begin first by warmly congratulating you on your assumption of the presidency of the Conference on Disarmament? The Chinese delegation is convinced that with your outstanding ability and rich experience in multilateral diplomacy you are sure to guide this Conference to success. I would like to assure you of the full cooperation of my delegation. I also wish to take this opportunity to express my thanks to your predecessor Ambassador Ramaker of the Netherlands for his contribution to the work of the CD.

The CTBT negotiations have entered their third year. In accordance with the relevant resolution of the General Assembly we are required to conclude a treaty as soon as possible this year. People are watching with great interest to see whether the CD can live up to the expectations of the international community and fulfil its mandate within the time-frame specified in the General Assembly resolution. Before the end of the first part of this year's session I would like to explain the position of the Chinese delegation on some of the important issues in the CTBT negotiations.

We all agree that the current negotiations are not conducted in a vacuum but are influenced invariably by the developments in the international situation as a whole. In fact, the initiation and progress of the negotiations and the future signing, ratification and entry into force of the treaty are all closely linked to the changes in the international situation. Since the end of the cold war and especially in the 1990s the international situation has undergone drastic changes. Today the world is still in the process of complex and profound changes with the overall trend moving towards relaxation. The bipolar system has come to an end together with the confrontation between the Eastern and Western blocs and the transition towards multipolarity has accelerated. A new world structure is taking shape. The world wants peace, countries need stability, economies need development and mankind desires progress. This has become the main theme in the world today and this trend will last for quite some time in the future. It is in such an international environment that the nuclear super-Powers have embarked on the path of nuclear arms reduction, ensuring the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons. It is against the same backdrop that the CTBT negotiations have been initiated, and are now

(Mr. Sha, China)

progressing successfully. It is safe to say that the above-mentioned important developments in the field of arms control and disarmament are just a natural result of the development and changes in the international situation. Proceeding from its analysis and understanding of the international situation, China believes that, as long as all the parties concerned show enough political will and the necessary flexibility in the negotiations, it is possible to achieve the objective of concluding a treaty this year.

At present, the 1.2 billion Chinese people are concentrating on modernization with full confidence. China needs a long-term peaceful and tranquil international environment and has been making every effort to achieve this end. In the past two years and more, the Chinese delegation, under instructions from the Chinese Government, has been participating in the CTBT negotiations in a positive, serious and responsible manner. This is an aspect of our comprehensive effort. The Chinese delegation hopes to conclude no later than 1996 a good CTBT which will genuinely prohibit all nuclear-weapon test explosions and which will be universal and internationally and effectively verifiable so as to promote international peace and security.

Since the beginning of this part of the CD session and as the CTBT negotiations progress, countries participating in the negotiations have deepened their debate and understanding of the relationship between the CTBT and nuclear disarmament. Since this question bears on how such a relationship should be reflected in the treaty, the Chinese delegation regards this debate as normal and necessary. It is our sincere hope that a common understanding can be reached on this issue at an early date, thus accelerating the negotiations. The Chinese delegation understands and sympathizes with the demand of a large number of non-nuclear-weapon States for nuclear disarmament within a time-bound framework. China has always stood for the early and complete elimination of nuclear weapons and has put forward a package of proposals for this purpose at the United Nations General Assembly. We have always regarded the CTBT as an important step towards the elimination of nuclear weapons, because a treaty like this, for the first time banning all nuclear-weapon test explosions in the world in the form of an international legal instrument, will certainly promote the process of nuclear disarmament and lay the groundwork for the ultimate elimination of nuclear weapons. In the meantime, we should note that the advent and development of nuclear weapons has been a lengthy historical process. So likewise the complete elimination of such weapons will also take some time. The Chinese delegation is of the view that the specific time-frame for nuclear disarmament should be decided within the context of negotiations on a convention banning nuclear weapons. I wish to emphasize here once again that the indefinite extension of the NPT and the indefinite validity of the CTBT must in no way be interpreted so as to perpetuate the privileged status of the nuclear-weapon States in possessing nuclear weapons.

The Chinese delegation is pleased to note that all parties are in favour of the early conclusion of a good CTBT this year. We have to admit that the timing and quality of the treaty are both important. On the other hand, they may be in some way contradictory to each other. This in effect is a contradiction between political will and reality. Nevertheless, it is not a contradiction which cannot be resolved. But in order to resolve this

(Mr. Sha, China)

contradiction, one must recognize that reality. It is sometimes necessary - and even unavoidable - to chant slogans or make strong appeals. However, in our view, it is a little late at this stage for that kind of thing. It would be even more shabby if the real intention is to divert people's attention in order to make sure that "what is mine is mine, and what is yours is negotiable". The reality we are faced with at present is this: although we have already settled a large number of issues, there are still quite a few political and technical issues that have yet to be resolved. As the CTBT will have a long-term bearing on international peace and security, we are against wrapping up these issues in a simplistic, hasty manner for the sake of mere political expediency. Rather, we would like to see them settled with a realistic and serious attitude. Anyone who misinterprets this position as being "negative" to the negotiations would be doing so either out of ignorance or with ulterior political motivation. The Chinese delegation maintains that, in order to resolve all the remaining issues, we need to recognize one another's legitimate concerns and, on that basis, show sufficient flexibility to work out the necessary compromises. Any attempt to make use of one's superiority in certain areas to seek unilateral advantage from the treaty is to court failure, leading the negotiations down towards a dead end. I would like to take this opportunity to point out that China is willing to compromise on some issues, but this cannot be done on a unilateral basis. Under no circumstances will China accept any country imposing its will on others.

The first part of this 1996 CD session is coming to an end. Reviewing the CTB negotiations over the past two years, especially during this part of the CD session, we have every reason to be satisfied with the progress achieved during such a short period of time. All negotiating parties in the past two years have explained their positions, exchanged views and understood each other's concerns. During this part of the CD session, the Iranian and Australian delegations have put forward their clean texts, both of which have absorbed many proposals of other parties and can serve as useful reference material for negotiation. We also expect the working paper of the Chairman of the NTB Ad Hoc Committee to offer valuable reference materials for us, so that we can pursue further our negotiations and reach agreement on the basis of the rolling text. In short, we already have a solid basis for negotiation. As mentioned earlier, there are still some major unresolved questions that will have a direct bearing on the universality and effectiveness of the treaty. We should attach sufficient importance to these questions.

I would now like to explain the position of the Chinese delegation on some of the major issues of the negotiations. First, concerning the scope of the treaty. China is committed to concluding a CTBT which prohibits any nuclear-weapon test explosion at any place and in any environment. Proceeding from this guiding principle, the Chinese delegation proposed at the outset of the negotiations its scope text prohibiting any nuclear-weapon test explosion which releases nuclear energy. The phrase "release of nuclear energy" in the Chinese text was intended to distinguish the scope of the CTBT from that of the PTBT and TTBT and to define the scope of the CTBT with more precise and scientific language. The Chinese delegation has always held that the scope of the CTBT should exclude any threshold.

(Mr. Sha, China)

After two years of negotiations, most countries have reached a common understanding on the phrase "any nuclear-weapon test explosion" in the scope article. That is to say, the future CTBT will without any threshold prohibit any nuclear-weapon test explosion. In view of this understanding, and for the purpose of accelerating the pace of our negotiations, China now decides to withdraw the phrase "release of nuclear energy" from its proposed text.

There are still some outstanding issues in the scope article which remain to be settled. It is the sincere hope of the Chinese delegation that all sides will make an effort, in a spirit of mutual understanding and mutual accommodation, in order to find proper solutions to these issues.

Second, concerning peaceful nuclear explosions. The Chinese delegation has noticed that on this important matter of principle there exist divergences. Any disarmament or arms control treaty should not hinder the development and application of science and technology for peaceful purposes. This is an important matter of principle. Therefore, it would be incorrect if the CTBT should ban PNEs. It may be due to the same reason that both the Treaty of Tlatelolco and the NPT contain clear-cut provisions of principle permitting PNEs. As a populous developing country with insufficient per capita energy and mineral resources, China cannot abandon forever any promising and potentially useful technology that may be suited to its economic needs. China fully shares the concern over the possible misuse of PNEs. However, we think that this issue can be resolved by establishing a strict application and approval procedure and an effective international on-site monitoring mechanism for the whole process of PNEs.

Third, concerning entry into force. The Chinese delegation holds that the CTBT has two main objectives: to promote nuclear disarmament and to prevent nuclear proliferation. These two objectives are closely linked and equally important, and neither should be overemphasized at the expense of the other. Undermining either objective may affect the realization of the other. The accession of all nuclear-capable States to the treaty is the legal guarantee for the realization of the above-mentioned objectives. Therefore we support the formula whereby the CTBT shall enter into force after the deposit of instruments of ratification by all nuclear-capable States, as specified in a relevant IAEA list. As for the simple formula of a waiver of EIF requirements, we understand the good intention of the proponents to ensure the early entry into force of the treaty. However, this would put the cart before the horse and would not be conducive to the realization of the main objectives of the treaty. I wish to stress that, although the ratification of the treaty by the five nuclear-weapon States may be a prerequisite for the entry into force of the treaty, we definitely cannot agree to confining the conditions for the entry into force of the treaty only to ratification by the five. For it is inappropriate, from the point of view of political equality, to single out the five nuclear-weapon States. This can be interpreted as a kind of political discrimination. More importantly, this would deviate from the objectives of the treaty.

Fourth, concerning the trigger mechanism for on-site inspection. The Chinese delegation maintains that the international monitoring system under the supervision of the treaty organization, representing all States parties

(Mr. Sha, China)

and providing services to all States parties, is relatively objective and just. In comparison, national technical means are controlled and used by individual States parties or small groups of such parties. If NTMs are incorporated into the international verification system or used for triggering OSIs, it would inevitably put most of the States parties, developing countries in particular, in an extremely unequal position, because of the selectivity and subjectivity that are inherent in the use of such means. This is obviously unreasonable and unjustifiable. Given the past lessons in this connection, the Chinese delegation firmly believes that it is necessary to prevent certain countries from taking advantage of their superior NTMs to harass and discredit the developing countries frequently with dubious information and even infringe upon their legitimate security interests. Experience has shown that intelligence information, claimed to be "reliable" has often proved to be most unreliable. Using this kind of information to trigger OSIs is unacceptable and abhorrent.

The Chinese delegation is of the view that after two years of negotiation, the direction which a final solution to the basis of an OSI request will take has become clear. That is, a request for an OSI can be based only on monitoring data from the IMS. Specifically speaking, OSIs should be directed at ambiguous events detected by the IMS and located by the IDC. So long as the above-mentioned requirements are met, both the data contained in the IDC's Standard Screened Events Bulletin (SSEB) and the raw data from the IMS can be used to trigger an OSI. Only in such a way can we ensure equality between States parties under the treaty and the objectivity and justice of the international verification mechanism contained therein.

The Executive Council, as a broadly representative body, should exercise supervision over OSIs throughout the process. As a first step, the Council should consider and approve the request for an OSI by a two-thirds majority of all its members, namely by a "green light" procedure. This procedure should apply to both the first and the second phases of OSIs. It is our view that triggering OSIs through an automatic or simplified procedure will make OSIs vulnerable to possible abuse, which is the reason why China, together with many other countries opposes this idea. On the other hand, if the requesting State party can put forward, in an open manner, verifiable and convincing evidence in its request for an OSI, it should not have any unnecessary worry about not obtaining a two-thirds majority of the Council members for approval of this "reasonable request".

Fifth, concerning the conduct of OSIs. As is known to all, OSIs and the IMS constitute the two cornerstones of the international verification system of the CTBT. IMS technologies are all remote sensing and detection technologies, while OSI activities may affect the normal operation and normal security of States parties. Therefore it is quite natural for all sides to attach particular importance to OSIs.

The Chinese delegation is of the view that, while fully recognizing the importance and necessity of the OSI mechanism, we should also note that the purpose of OSIs is to clarify ambiguous events detected in the territories of the inspected States parties. Therefore it is inappropriate to prejudge the inspected State as a "violator" before the result of the inspection endorsed

(Mr. Sha, China)

by the Council. In this connection, we cannot regard OSIs as a punitive measure against the inspected State party. The inspection team should strictly abide by the mandate approved by the Council and respect the sovereign rights of the inspected State party. The inspected State party is obliged to provide the necessary assistance to the inspection team to ensure the smooth and effective conduct of the inspection.

During the OSI process, necessary measures should be taken to protect the legitimate security concerns of the inspected State party and to prevent nuclear proliferation. The inspected State party, if it deems that some of the activities proposed by the inspection team may affect its legitimate security interests has the right to impose different degrees of restrictions on the activities of the inspection team and propose alternative measures to demonstrate its compliance with the treaty. The access regime under negotiation in Working Group 1 is an important issue which will have a direct bearing on the effectiveness of the verification regime and the national security of all States parties. The Chinese delegation is ready to join efforts with other delegations to establish a good verification regime for the treaty.

Sixth, concerning the international monitoring system. Thanks to joint efforts by all sides, the IMS is now almost in its final shape. The Chinese delegation is satisfied with and encouraged by the work done in this respect. We are ready to work together with other delegations to finalize our work on a complete IMS plan at an early date. On the question of radionuclide monitoring, the Chinese experts, after carefully studying the proposals of other countries, concluded that it is not cost-effective to include noble gas monitoring into the radionuclide monitoring network. The Chinese delegation is reviewing its position on such remaining issues as satellite images and satellite and EMP monitoring, taking into account the discussions held in the past two years.

I wish to point out that, politically speaking, the IMS as currently designed gives concrete expression to the principle of equality among all States parties, nuclear-weapon States and non-nuclear-weapon States alike. Technically speaking, the IMS is based on the principle of uniform global coverage and a uniform detection threshold. In other words, it provides equal and balanced monitoring in all regions and in all States parties. This principle, which has guided the design of the IMS, cannot be renegotiated. As a matter of fact, with the IMS as currently designed, China's nuclear test site is subject to a monitoring intensity higher than the global average. This is a fact recognized by the IMS expert group. Under such circumstances, further enhancing the detection level for China's test site is excessive and unacceptable.

Since the Chinese Government decided to participate in the CTBT negotiations more than two years ago, the Chinese delegation has been participating in a positive, serious and responsible manner. It has made due effort and contributed to the progress of the negotiations. The Chinese delegation will continue work towards the conclusion of a good CTBT within 1996.

(Mr. Sha, China)

Before concluding my statement I wish to make the following comment. Some delegations in their statements have expressed their concern about the nuclear tests conducted by China. Our Government has a very clear position on this issue. As it is known to all already, I do not need to repeat it here. However, I do wish to take this opportunity to point out that there is no ground to feel such concern about China's nuclear tests.

The PRESIDENT: I thank the representative of China for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Mongolia, Ambassador Yumjav.

Mr. YUMJAV (Mongolia) At the outset, Mr. President, I should like to express the warm congratulations of my delegation on your assumption of the presidency of the Conference on Disarmament at this crucial stage of our negotiations. My delegation is confident that your able guidance and experience will play an important role in speeding up our negotiations. I would also like to express my deep appreciation to your predecessor, Ambassador Ramaker of the Netherlands, and Ambassador U Aye of Myanmar for their tremendous efforts and commendable contribution to the CD work.

I wish to take this opportunity to warmly welcome our new colleagues who have recently joined us - Mr. President, you and the distinguished Ambassadors of Cuba and Kenya. We look forward to close cooperation with them all.

My delegation welcomes His Excellency Sardar Aseff Ahmed Ali, Minister for Foreign Affairs of Pakistan, for his important statement and expresses its appreciation for the contribution made by Pakistan to the work of the Conference on Disarmament.

My delegation would also like to express its deep appreciation to Ambassador Ramaker from the Netherlands, Chairman of the Ad hoc Committee on a Nuclear Test Ban, as well as Ambassador Berdennikov of the Russian Federation and Ambassador Zahran of Egypt, Chairmen of Working Groups 1 and 2 respectively, for their considerable efforts and contributions to the ongoing negotiations on a CTBT.

More than two years ago we set ourselves a challenging goal to negotiate on a comprehensive nuclear-test-ban treaty and started in earnest to work for this purpose. My delegation is encouraged by the significant progress made in the CTBT negotiations during this period. We have now reached a crucial and decisive stage of the negotiations for completing a CTBT in the time-frame set by the decision of the 1995 NPT Review and Extension Conference and reaffirmed by United Nations General Assembly consensus resolution 50/65. In this regard my delegation fully supports the appeal made by many delegations to finalize our negotiations as soon as possible in 1996 in order to submit the treaty text to the fifty-first session of the United Nations General Assembly for its approval.

The comprehensive test-ban treaty is indeed the most important task of the Conference for this year. It is in this context that my delegation wishes to quote the Secretary-General of the United Nations: "Today you have begun a race against time. The conclusion of the treaty cannot be deferred any

(Mr. Yumjav, Mongolia)

longer. It must be concluded this year. Otherwise a severe blow will be dealt to the nuxlear and non-proliferation regime, and thereby to peace and security as a whole". Mongolia will welcome any initiative that will contribute to speeding up our work. In this spirit, we highly appreciate the contributions of the Iranian and Australian delegations to the ongoing negotiations. Doubtless, the two texts presented by the above-mentioned delegations will help us reach agreement on a number of outstanding issues.

Despite the considerable progress that the CTBT negotiations have made so far, much more remains to be done. Political decisions are urgently called for on many outstanding issues such as the treaty's scope, entry into force, verification, on-site inspection, the organization and its overall funding, etc. At this crucial stage of our negotiations, my delegation would like to reiterate its position on some of these vital issues involved in our negotiations.

In the view of my delegation, scope is one of the fundamental issues of the CTBT. Mongolia is for a true-zero-yield CTBT. We consider that the CTBT should be comprehensive and non-discriminatory in its scope and it should ban all nuclear tests by all States, in all environments and for all time. The treaty should attract universal adherence and be multilaterally and effectively verifiable. In other words this treaty should cover all nuclear-weapon tests or any other nuclear explosion for any purposes, be it military, peaceful or any other. We therefore support the formula on scope proposed by the Australian delegation contained in its model treaty text. We believe that this formula could serve as a good basis for further negotiations and welcome the emerging convergence of views around it.

With regard to the entry into force of the treaty the time has come to decide among the various options contained in the "rolling text". My delegation is of the view that two important factors should be taken into consideration in this respect. Firstly, entry into force should not be so complicated that it might delay the process of entry into force of the treaty. Secondly, it is important that all nuclear-weapon States and nuclear-capable States should ratify the treaty.

My delegation considers that the credibility of the CTBT will to a great extent depend on its verification regime. Therefore, the future verification system should be efficient and cost-effective. It should be equipped with an efficient monitoring capability. The consultation and clarification process would be an important part of the verification regime.

We stand for a verification system which would guarantee equal access to all States parties to the treaty. As far as its components are concerned, my delegation believes that the international monitoring system may initially be composed of the seismic, radionuclide, hydroacoustic and infrasound technologies, as well as on-site inspection. At the same time, we think that the treaty should benefit from the advances in science and technology of the future.

(Mr. Yumjav, Mongolia)

A seismic monitoring network should stand at the core of such a system. I'm pleased to note that my Government has already committed to the primary network one seismic station on Mongolian territory. Now we are considering the technical possibility of ensuring its data communication with the international data centre as part of our own contribution to the ongoing GSETT-3. My country is also interested in having other stations in the seismic network of auxiliary stations as well as other monitoring networks.

As for on-site inspection, we think that an OSI should be a very rare measure in the CTBT, taken only after exhausting all other possible steps. Its task should be to clarify any question concerning possible non-compliance with the basic obligations of the treaty. An OSI should be conducted in an effective, timely and least intrusive manner.

My delegation shares the position of many other delegations that an OSI should be an instrument to monitor only the CTBT. In this regard, it is also important that the OSI regime should provide a balance between deterrence and protection of legitimate national interests. In our view, only a State party has the right to request an OSI and the information from the international monitoring system would be sufficient to trigger a request. It is well known that the issues related to on-site inspection were comprehensively discussed during the negotiations on the Chemical Weapons Convention and we believe that the CTBT could benefit from that precedent.

My delegation attaches great importance to the issues concerning a future CTBT organization. We are in favour of a small, but independent organization which could maintain close cooperation with IAEA. It is important that the CTBT organization benefits from the experience of the Agency in the verification field.

With regard to the composition of the Executive Council, we think that for reasons of cost-effectiveness, such a body should be relatively small but fully representative and efficient. It is essential that the principles of equality, equitable geographical distribution and system of rotation should be maintained in the Executive Council.

We appreciate the efforts made by Ambassador Benjelloun-Touimi, as Friend of the Chair on the Executive Council, to find a reasonable solution to this issue.

Since we are negotiating a comprehensive and non-discriminatory treaty, our position is that every State party should have the right to serve on the Executive Council. Therefore, we believe that no permanent seat would be allowed and no State party would be excluded from holding a seat on the Executive Council. As for the specific criteria and modalities to be applied to membership in the Executive Council, my delegation is of the view that a formula should be found to ensure a balance between political and technical considerations.

Let me also make a few observations on some other issues. Mongolia welcomes the many positive developments in the field of nuclear disarmament, in particular, important agreements on deep reductions of nuclear arsenals

(Mr. Yumjav, Mongolia)

between the United States of America and the Russian Federation, as well as the recent steps taken by France. However, systematic and progressive efforts need to be taken by the international community to reach the ultimate goal of total elimination of nuclear weapons. In this context, my delegation shares the concern of many delegations that nuclear disarmament should be negotiated at the Conference on Disarmament within a specific time-frame by establishing an ad hoc committee. Therefore, my delegation fully subscribes to the joint statement of the Group of 21 of 23 January 1996 as well as the draft decision tabled by the Group on 14 March 1996 in this respect.

It is well known that four years ago Mongolia declared its territory a nuclear-weapon-free zone, which was welcomed by all nuclear-weapon States and the Non-Aligned Movement. We are convinced that the establishment of internationally recognized nuclear-weapon-free zones in different parts of the world will enhance global and regional peace and security. In this spirit, my delegation warmly welcomes the signing of the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone by ASEAN and other South-East Asian countries. We also note with satisfaction the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty) which will be opened for signature at the beginning of April. It is encouraging to note that a few days ago France, the United Kingdom and the United States of America signed the three protocols to the Treaty of Rarotonga. My delegation welcomes this positive step.

Another issue which has bedevilled the Conference for years is the question of expansion of the CD. This issue has to be addressed fairly and without any further delay. Mongolia supports the O'Sullivan package and stands for the immediate admission of the 23 countries listed therein. Therefore, my delegation is for the earliest possible implementation of the CD decision of 21 September 1995 contained in document CD/1356.

At this final and decisive stage of our negotiations, it is crucial that all delegations display political will and demonstrate flexibility and a spirit of compromise to achieve our common goal which is to conclude a CTBT as soon as possible.

The PRESIDENT: I thank the representative of Mongolia for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor at this stage?

If not, I should now like to draw your attention to the proposal made by the Group of 21 as contained in document CD/1388. The consultations I have held so far on this proposal indicate that it does not command consensus at this stage. And, therefore, I intend to continue consultations during the inter-sessional period with a view to identifying a basis for compromise on how to address the issue of nuclear disarmament in the Conference.

On this question, Brazil and Egypt have asked for the floor. I give the floor to Ambassador Lafer of Brazil.

Mr. LAFER (Brazil): I will now make a statement in my capacity as Coordinator of the Group of 21.

The Group of 21 has persistently pressed for commencement of negotiations in the CD on nuclear disarmament, an objective which has been accorded the highest priority by the international community.

Since the beginning of the current part of the CD's session, the Group of 21 has stated its position on the matter by means of statements made in the plenary sessions of 23 January 1996 and 14 March 1996. On the latter occasion it put a decision before the Conference for adoption (CD/1388), through which the Conference would establish, before the end of the first part of its 1996 session, an ad hoc committee on nuclear disarmament.

The Group of 21 deeply regrets that consultations held on this issue by the President did not yield positive results and consequently that the Conference is not in a position to adopt such a decision at this time. It deplores the refusal by certain member States of the CD to negotiate on the issue of nuclear disarmament in the Conference, which is the sole multilateral disarmament negotiating body.

The Group of 21 requests this issue to remain under active consideration in the Presidential agenda, and reiterates its resolve to work assiduously towards ridding our planet of the threat of nuclear weapons in the same manner as the international community has dealt with other weapons of mass destruction.

Mr. ZAHRAN (Egypt): It gives me pleasure to ask for the floor under the able and skilful presidency of a faithful son of Africa, Ambassador Abuah of Nigeria. With his known skills and wide diplomatic experience, the CD will conclude constructive and businesslike deliberations of the first part of the 1996 CD session. As my delegation made it clear to your predecessors, Ambassadors Aye of Myanmar and Ramaker of the Netherlands, to whom I express my appreciation for their contributions in performing the functions of the CD presidency, I pledge to you my full support and cooperation.

I would like first of all to endorse completely the statement made by Ambassador Celso Lafer of Brazil on behalf of the Group of 21 on nuclear disarmament, and I wish you all success in continuing consultations on this issue, Mr. President, in the inter-sessional period, and thank you for having given us an opportunity to discuss this matter which is very important to all of us. The formal proposal made by the Group of 21 in the CD on 14 March 1996 to establish an ad hoc committee on nuclear disarmament to conduct negotiations on this issue, to which we attribute the utmost priority, is reflected in document CD/1388. We sincerely hope that in the very near future we will be able to go beyond discussions on form and engage in serious negotiations on the substance of that matter.

If Egypt, together with the other members of the Group of 21, does not let an occasion go by without raising the question of nuclear disarmament, it is simply because this issue deserves more attention than it has so far been given. While we recognize and appreciate the concrete efforts made by some

(Mr. Zahran, Egypt)

of the nuclear-weapon States, as well as the positive commitments they have undertaken in this regard, we also consider that it is only when the total elimination of nuclear weapons is achieved that this issue will be removed from the international disarmament agenda. To achieve this objective, much work still needs to be done and it is our view that it should be done here in the CD.

All of us here in this Council chamber have supported the objective of the total elimination of nuclear weapons, but some of us are clearly in more of a hurry than others. We are in a hurry. Why? Because we believe that conditions are finally propitious for us to rid the world of nuclear weapons in a time-bound frame. We are also in a hurry because we are well aware of the fact that the road to nuclear disarmament will be a long and difficult one and that the later we embark upon the road, the longer we will have to live with the threat of nuclear weapons looming over us. Despite assurances to the contrary, this threat is very real, for if it did not exist, nuclear weapons, which are supposedly a deterrent, would have no raison d'être.

We have also to free ourselves from fear - fear of the threat of nuclear weapons - the most devastating of all types of weapons. How to address the dangers to humanity and to the environment from the continuous presence of nuclear weapons and unsafeguarded nuclear reactors like the disaster which we witnessed in Chernobyl? We heard a week ago from the Foreign Minister of Ukraine how many victims, how many sacrifices affecting human beings and the environment. The same fear today is in Egypt and in the Middle East. We are living in a nightmare which is a result of the radiation leaks from the Dimona reactor in Israel, as a result of earthquakes which hit the region in recent years.

Biological weapons have been dealt with multilaterally, and multilateral negotiations are still under way to provide the BWC with a verification mechanism in order to ensure compliance with its provisions. Chemical weapons have also been dealt with multilaterally in this very chamber. We are therefore not convinced of the wisdom behind the decision taken by some nuclear-weapon States that nuclear weapons are to be handled differently and exclusively by those who officially possess them. If nuclear disarmament is to be the private business of only the five nuclear-weapon States, what is to happen to those nuclear weapons which might be in the possession of other States which are not legally bound not to possess them? By the same token, we are concerned because of the lack of implementation of article VI of the NPT, as we mentioned and as we voiced in the NPT Review and Extension Conference in 1995. That treaty stipulated when it was signed in 1968 that the cessation of the nuclear arms race and nuclear disarmament will take place at an early date. This objective has not been attained after 28 years from the date of the signing of the NPT. I repeat: "at an early date".

I do not wish to repeat here the arguments we have repeatedly made in connection with the matter of nuclear disarmament since these are well known to all of us. I wish only to make it very clear and to reiterate strongly Egypt's request that an independent item - a separate item - on nuclear disarmament be included on the CD agenda, and that an ad hoc committee on nuclear disarmament be established in the CD to commence negotiations on

(Mr. Zahran, Egypt)

nuclear disarmament immediately following the conclusion of the negotiations on the CTBT. This ad hoc committee could at the very outset, and as a first step, start negotiations on the issue of banning the production of fissile materials for military purposes, which we regard as a nuclear disarmament issue. Simultaneously, consultations in the framework of the proposed ad hoc committee would be held to formulate a detailed mandate laying out a number of other specific time-bound frames of nuclear disarmament for the future work of that ad hoc committee.

Unlike others, we do not believe that the CD is spending too much time on nuclear issues. We believe that it is merely catching up with all the time it has lost in the past, virtually ignoring nuclear issues or paying little more than lip-service to them. We look forward to all nuclear items being ultimately dropped from the CD agenda, but this will only happen when the overwhelming and virtually unanimous ambition of the international community for true nuclear disarmament has been attained.

Before concluding, I would like to express our satisfaction at the signing in Fiji on 25 March by France, the United Kingdom and the United States of the three protocols to the Rarotonga Treaty on the South Pacific nuclear-weapon-free zone, another important step towards the full implementation of that Treaty. We were happy also at the signing of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone. Another step is coming in the pipeline in efforts towards non-proliferation and nuclear disarmament. That will be the signing in Cairo on 11 April, next month, of the African Nuclear-Weapon-Free-Zone Treaty, to which all five nuclear-weapon States have been invited.

The PRESIDENT: I thank Ambassador Zahran, the distinguished representative of Egypt, for his statement and for the kind words addressed to the Chair. Does any other delegation wish to take the floor on this? That does not seem to be the case. We shall, of course, bear in mind the comments made on this question and carry forth the consultations which will, accordingly, be held inter-sessionally.

I should now like to turn to the issue of expansion of membership of the Conference. As you are aware, the decision taken by the Conference in document CD/1356 requires that "the Conference will review the situation following the presentation of progress reports by the President on ongoing consultations at the end of each part of its annual session". As you know, both my predecessors, Ambassador Aye of Myanmar and Ambassador Ramaker of the Netherlands, conducted intensive consultations on the issue and they reported to the Conference on the results thereon at the 725th and 729th plenary meetings respectively. For my part, I have continued these consultations, building on the efforts of my predecessors, with a view to an early resolution of this long-outstanding issue. At this stage, it is my duty to report that it is not possible to implement the decision on expansion.

(The President)

However, it goes without saying that I will make full use of the inter-sessional period to further explore ways and means of an early implementation of this decision.

I have on my list of speakers on this question the representative of Chile, Ambassador Berguño.

Mr. BERGUÑO (Chile) (translated from Spanish): Mr. President, allow me to congratulate you on your presidency and your very able leadership of our work, and to thank you for the courtesy and concern that you have shown vis-à-vis the delegations of the countries in the Group of 23, continuing thereby the tradition of your predecessors. The Group has entrusted me with the task of making a brief statement on the part of your report that refers to the application of decision CD/1356; we reserve the right to raise this matter again at the appropriate time.

For my part, before reading out the statement, I would like to associate myself with statements made today about the signing of the protocols to the Treaty of Rarotonga by three nuclear countries, and the statements made by the representatives of Austria (who referred to the recent words of the United Nations Secretary-General), Brazil, the Czech Republic and Mongolia concerning the question of expansion. I also wish to thank you for the information you provided that consultations on this subject will continue during the inter-sessional period and to express regret that it was not possible to have a more thorough debate in plenary. I will now read out the statement by the Group of 23 in English.

(continued in English)

I would like to state the following on behalf of Austria, Bangladesh, Belarus, Cameroon, Chile, Colombia, the Democratic People's Republic of Korea, Finland, Iraq, Israel, New Zealand, Norway, the Republic of Korea, Senegal, Slovakia, South Africa, Spain, Switzerland, Syria, Turkey, Ukraine, Viet Nam and Zimbabwe. We note the report of the President of the Conference on Disarmament recognizing that there has been no progress on the implementation of decision CD/1356. We strongly regret this outcome and urge again the Conference on Disarmament to urgently resolve this matter. We also believe that the Conference is not acting within the spirit of its own decision CD/1356 and of General Assembly resolution 50/72 C. In its decision adopted on 21 September 1995, the CD finally adopted the report of the Special Coordinator for membership and the recommended composition attached to it. At the time of its adoption, the statement made on that occasion by all CD members made it clear that the Conference as a whole was prepared to accept our 23 countries as new members forthwith. A solution is needed without further delay.

The PRESIDENT: I thank the distinguished Ambassador of Chile for his statement and for the kind words addressed to the Chair. Are there any other speakers on this? That's not the case.

Today's plenary meeting is the last during this part of the session. During this period, we were able to re-establish the Ad Hoc Committee on a

(The President)

Nuclear Test Ban, under which the Conference is conducting the important negotiations for the comprehensive test-ban treaty. We also appointed the Special Coordinator on the agenda in the person of Ambassador Meghlaoui of Algeria.

We have worked very hard during this session. I wish to pay tribute to the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, Ambassador Ramaker of the Netherlands, for his untiring efforts and able guidance of the Committee. Equally deserving recognition are Ambassadors Berdennikov of the Russian Federation and Zahran of Egypt, Chairmen of Working Groups 1 and 2 respectively. They, and the many Friends of the Chair, spare no effort to ensure that progress is made in our negotiations.

In spite of our collective efforts, there is still a long way to go in the negotiations for the CTBT. The inter-sessional period provides the opportunity to reflect on the knotty problems still to be solved. I urge all delegations to use the period to seek instructions that will make possible the successful conclusion of our negotiations by the end of the second session. We are so close to another historic achievement for CD. We should not miss this opportunity.

I wish to note that the Special Coordinator on the agenda is holding important consultations. It is my expectation that he will report to the Conference on the progress of his consultations. We should continue to extend to him the necessary cooperation to ensure the success of his assignment.

The secretariat has circulated, at my request, a tentative timetable of meetings for the first week of the second part of the 1996 session. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, merely indicative and subject to change if necessary. In this respect I would draw your attention to the fact that, as Thursday 16 May is a holiday and the Palais des Nations will be closed, the plenary meeting has been rescheduled for Tuesday 14 May. May I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: At the request of the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, I should like to inform delegations that immediately after this plenary, a meeting of the Ad Hoc Committee will take place. This, in turn, will be followed by a meeting of the Friend of the Chair on on-site inspection.

As agreed, the next plenary meeting of the Conference will be held on Tuesday 14 May 1996 at 10 a.m.

The meeting rose at 12.45 p.m.

CONFERENCE ON DISARMAMENT

CD/PV.734
14 May 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 14 May 1996, at 10 a.m.

President: Mr. Abuah (Nigeria)

GE.96-61697 (E)

The PRESIDENT: I declare open the 734th plenary meeting of the Conference on Disarmament, the first of the second part of our annual session.

The inter-sessional period has given us the opportunity to consult in our capitals. We should now proceed with renewed vigour and determination to achieve the unanimous desire of the international community to complete the comprehensive test-ban treaty. The world is anxiously watching us to see if the Conference can achieve yet another historic feat. We should not fail.

It gives me pleasure to extend, on behalf of the Conference and on my own behalf, a warm welcome to the Minister of External Relations of Brazil, His Excellency Mr. Luiz Felipe Lampreia, who will be our first speaker today. It is especially gratifying for us to see him here again in this forum, where he represented his Government from September 1993 to February 1995. Many of us will remember the dedication with which he attempted to move forward the issue of expansion of membership of the Conference in his capacity as Friend of the Chair on this issue. That the Minister has found the time, despite his heavy schedule, to address the Conference will surely be appreciated by all of us, and we look forward to his statement with great interest.

Allow me also to welcome the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, His Excellency Mr. David Davis, who will address the Conference today. His presence among us today is yet another expression of his Government's abiding commitment to the proceedings of this forum and the importance it attaches to the conclusion of the comprehensive test-ban treaty.

I should also like to take this opportunity to welcome among us Ambassador Fisseha Yimer, the new Permament Representative of Ethiopia, and assure him of our full cooperation.

In addition to the Minister of External Relations of Brazil and the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom, I also have on my list of speakers for today the representatives of Egypt, Croatia, the Russian Federation and Sri Lanka. Once we have listened to all the speakers inscribed for today, I intend to take up for decision the request received from Angola to participate in our work as a non-member. It now gives me great pleasure to give the floor to the Minister of External Relations of Brazil, His Excellency, Mr. Lampreia.

Mr. LAMPREIA (Brazil): It is an honour and a pleasure for me to address the Conference on Disarmament as Minister of External Relations of Brazil. As a former Permanent Representative of my country in Geneva, I take personal satisfaction in the opportunity of returning to meet old friends whose wisdom is always a source of inspiration. My prior experience in this hall has given me first-hand contact with, and knowledge of, the challenges and responsibilities before the Conference on Disarmament, as well as the privilege of participating in its efforts to bring about a world free of all threat from weapons of mass destruction.

At this critical juncture, Mr. President, it augurs well for the Conference to be presided over by a seasoned and skilled diplomat such as

(Mr. Lampreia, Brazil)

yourself. I wish to commend your deft handling of Conference business, as well as to reiterate the assurance of Brazil's full cooperation in the discharge of your difficult task.

I find it particularly gratifying to speak before the Conference at a time when Brazil holds the coordinatorship of the Group of 21, a caucus long known for its unwavering commitment to world peace, some of whose current members have been calling for a comprehensive test-ban treaty for over 40 years. The fact that the Group of 21 has never hesitated to embrace ideals and to put forward proposals which may often seem ahead of their time should give this body food for thought as it struggles to find new ways of dealing with old demands, such as the global concern and priority issue that is nuclear disarmament.

President Fernando Henrique Cardoso is deeply and personally engaged in the cause of peace, disarmament and cooperation in international relations. After all, the achievement of the main goals of his administration will be greatly facilitated by an international environment as free as possible of armed conflict and tension.

As a country committed to disarmament and non-proliferation, Brazil believes the international community should become further involved in significant initiatives leading to disarmament, especially in the nuclear field. These initiatives should aim at saving resources from the production of weapons, mainly weapons of mass destruction, and making them available for social and economic advancement in developing countries such as my own.

The creation of a peaceful and stable environment that is conducive to development is therefore a priority for us. We trust that the recent conclusion of the Pelindaba and Bangkok treaties opens an unprecedented opportunity for a nuclear-free southern hemisphere, to be achieved through a building-block approach. Brazil holds that this is possible and that it reflects the interests of all who live south of the Equator.

With the exception of World War II, when Brazil fought for the good cause with the Allies, we have not been involved in any armed conflict in over a century. My country maintains exemplary relations of friendship and cooperation with all of its 10 neighbours. OUr borders have served to unite, rather than to divide. Brazilian military expenditure is among the lowest in the world in terms of GNP.

Brazil has consistently been involved in international disarmament and non-proliferation initiatives. Our participation in the Conference on Disarmament and in the bodies that preceded it bears witness to an unflinching commitment to a world progressively deprived of the means to annihilate human civilization and inflict suffering and pain on peoples who seek to live and develop in an environment of peace and tolerance.

As a participant in the Biological Weapons Convention since its inception, and having recently deposited the instrument of ratification of the Chemical Weapons Convention, Brazil is now a full party to the two existing treaties that ban whole categories of weapons of mass destruction. We are

(Mr. Lampreia, Brazil)

engaged in the effort currently under way to enhance the effectiveness of the Biological Weapons Convention. We also actively participated in the recently concluded review process of the Convention on Certain Conventional Weapons, to which Brazil acceded last year.

As regards chemical weapons, swift ratification of the CWC by the two main possessors of that class of weapon seems to us imperative in order to avert the prospect of such a treaty entering into force without those two States, which would send an incogruous and disturbing signal to the international community.

Brazil holds unequivocal and unquestioned credentials in the field of disarmament and non-proliferation. The principle that nuclear energy should only be used for peaceful purposes was enshrined in the 1988 Brazilian Constitution. Since March 1994, all nuclear materials in all nuclear installations in my country are subject to full-scope International Atomic Energy Agency safeguards by means of the application of the Quadripartite Agreement involving Brazil, Argentina, the Argentine-Brazilian Agency for Accounting and Control of Nuclear Materials and IAEA. In May 1994, the Treaty of Tlatelolco came into force for Brazil, formalizing at the international multilateral treaty level our renunciation of nuclear weapons. The application of Tlatelolco provisions to the whole of Latin America and the Caribbean for the first time brought to a populated region of our planet the benefits of being a nuclear-weapon-free zone, including legally binding negative security assurances on the part of the nuclear-weapon States.

Credentials such as these enable my country to take a firm stance in favour of significant and concrete steps in the field of disarmament. These should be facilitated by the easing of tensions that followed the end of the cold war, and which prompted a number of welcome developments. I have already highlighted the importance of steps taken at the multilateral level in the early 1990s to ban weapons of mass destruction. To these, one would be remiss not to add the most recent unilateral and bilateral actions in the nuclear sphere, such as: the announcement by three nuclear-weapon States of the decision to halt fissile material production; ratification of the START II Treaty by the United States Congress; the decision by the French Government to close all land-based nuclear operations as well as French Pacific test sites; signature by nuclear-weapon States of the Rarotonga and Pelindaba treaties' additional protocols.

All these result not just from revised military doctrines regarding the role to be played by weapons of mass destruction, in particular nuclear weapons, in a world fortunately no longer ruled by the deranged logic of the cold war. They also represent responses to new political and economic realities. Internal public opinion simply does not tolerate bottomless military budgets anymore; it also shows growing difficulty in accepting the continuing need for, let alone the morality of, weapons of such destructive force and indiscriminate effects. Clearly much more needs to be done if the States holding stockpiles and arsenals of weapons of mass destruction are truly to heed the call of significant constituencies within their own countries, as well as of the international community as a whole.

(Mr. Lampreia, Brazil)

The end of nuclear bipolarity had the immediate result of making disarmament seem outdated, both because the former opponents evolved a new pattern of cooperation and because the new security concerns - regional conflicts and the so-called non-military threats - are not amenable to solutions in terms of multilateral arms limitation agreements. This perception, however, is being superseded by a widespread sentiment of abhorrence of nuclear weapons, as the intense reaction worldwide against nuclear testing has shown just recently. The fact is that the welcome changes in the relationship between the two main nuclear Powers did not abolish their huge stockpiles. These arsenals pose today three very different kinds of threats: the risk of nuclear accident; the possibility of nuclear theft enabling the unthinkable nuclear terrorism; and the very real threat of de facto legitimating nuclear proliferation. Only working towards the complete elimination of nuclear weapons could confront these dangers.

Brazil therefore sides with those who believe that further measures are urgently needed and that the Conference on Disarmament should be allowed to take up its rightful place as the primary forum for nuclear disarmament negotiations. We of course commend and encourage the START I and II processes, whose full implementation will go a long way in rolling back the two greatest nuclear stockpiles on Earth. But START II is still to be ratified by the Russian Federation, which we hope will soon occur. Moreover, the nuclear arsenals of the other nuclear-weapon States so far remain beyond the pale of any phased or time-bound international obligation. If we are to give credence to the recently reaffirmed commitment to pursue in good faith negotiations on effective measures relating to nuclear disarmament, this should be followed by a genuine engagement on the part of all nuclear-weapon States in a nuclear disarmament process within the context of the CD, as the sole multilateral disarmament negotiating body.

Allowing for CD expansion through the immediate implementation of the terms of the decision taken last September and contained in document CD/1356, whereby 23 States will all assume together membership of the Conference, would, for its part, inject new life into and enhance the representativeness of the CD, thus facilitating its future negotiating tasks, one of the very first of which could be a fissile material cut-off convention.

If it is true that our attention has recently been focused on the early conclusion of a CTBT, this should not prevent us, however, from launching discussions on a cut-off convention. This would be the next logical stage in our work, one that we should delay no longer. Together with the CTBT, the cut-off convention will be a significant step in capping the nuclear arms race. It is thus regrettable that the Ad Hoc Committee on this issue, whose mandate was agreed upon by this Conference at the beginning of last year, has not met.

Let me turn to the main issue with which the CD has been grappling for nearly three years now and whose negotiation I dare to trust is entering its final, decision-making stage. I need not emphasize that to my country, as well as to most - if not all - of those represeted around this table and in this hall, having a comprehensive test-ban treaty ready for signature by the outset of the fifty-first session of the United Nations General Assembly is

(Mr. Lampreia, Brazil)

more than an aspiration - it is a matter of giving concrete expression to the international community's conviction that nuclear tests and all they represent no longer have a place in today's world.

Indeed, the prohibition to be imposed on nuclear testing is not and should not be made to become an end in itself. It is but a first step, but a very significant one. As a treaty which will ban an activity inextricably associated with and necessary for carrying on with the infernal spiral of developing, manufacturing, improving and stockpiling nuclear weapons, the CTBT not only can but should serve as a catalyst for nuclear disarmament. Setting the CTBT in its proper context would therefore require provisions emphasizing the vertical proliferation constraint it imposes; highlighting its role in the reversal of the nuclear arms race and in the process of nuclear disarmament; and stressing the need for the complete elimination of nuclear weapons at the earliest possible time and according to a phased programme under a multilaterally agreed process of nuclear disarmament. Given divergence of views regarding these issues, I submit these proposals with an open mind as to their possible further improvement, given the pressing need at this stage for bridging gaps and for finding formulations which attract general support. The price to pay for a universal treaty that would be decisive for nuclear disarmament and for all dimensions of non-proliferation is, in our view, well worth the cost.

Throughout the CTBT negotiations, Brazil has been committed to a treaty that is both meaningful in purpose and endowed with effective means of verification. In the coming weeks, the Brazilian delegation, acting on my direct instructions, will redouble its efforts in striving to accommodate all reasonable concerns and to keep the negotiations within the time-frame set by the United Nations General Assembly. We are sure that CTBT signature in the next few months is a viable proposition. But for that we need to see movement not just on the part of those who still show reluctance to accept the most widely supported formulation for the article on the treaty's scope, for instance, or on the part of those who still admit exceptions to the ban. We also need to see that others realize the limits to the general acceptance of some of their controversial proposals, such as stripping the international data centre of analytical capacity; creating special arrangements for the payment of annual assessments; and allowing for data not gathered through treaty organs to play an institutional role in treaty verification.

I am well aware that during the first part of the 1996 session the Ad Hoc Committee on a Nuclear Test Ban received important contributions from Iran and Australia and from its own Chairman, Ambassador Jaap Ramaker, toward the early conclusion of negotiations. The Conference also heard many exhortations, not least from the Brazilian delegation itself, to the same effect. Let me be the first to reiterate this plea in this second part of the 1996 session. The stakes are too high for the interntional community to let this opportunity pass for concluding the CTBT.

Before closing, let me address the issue of the future role of this body in the edifice of international relations. Some years ago, when the Chemical Weapons Convention was nearly finished, it was fashionable to ask if there would be "life after the CWC". The same doubts seem to have arisen again

(Mr. Lampreia, Brazil)

concerning the post-CTBT phase. Brazil does not entertain such scepticism. We are confident that the Conference on Disarmament will continue to fulfil an important task in ensuring progress toward a more peaceful and stable world. Alongside the capacity to respond rapidly to threats to international peace and security attributed to the Security Council of the United Nations, it is essential to have a forum where issues related to disarmament, and thus to peace, receive a more universal, systematic and prospective treatment. Moreover, there is no lack of areas of disarmament that would warrant negotiating multilateral agreements by the international community. The problem is, as it always has been, to identify what is considered negotiable by the various members of that community. A spirit of dialogue and flexibility from all quarters will certainly help in devising the agenda for the years to come, as we continue to strive for a world free from weapons of mass destruction.

The PRESIDENT: I thank the Minister of External Relations of Brazil for his important statement. I now give the floor to the representative of Egypt, Ambassador Zahran.

Mr. ZAHRAN (Egypt) (translated from Arabic): Let me first of all express my happiness at seeing His Excellency the Minister of External Relations of Brazil, Mr. Luiz Felipe Lampreia, with us at the beginning of this second part of the session this year. I would like to congratulate him on the important statement that he delivered today before the plenary meeting. That statement reflected the extent of the concordance between the positions of Brazil and Egypt concerning questions of disarmament and international peace and security. I would like to express my appreciation for the positive contributions that the delegation of Brazil is making in the Group of 21, the positions of which are currently being coordinated under the chairmanship of Brazil's Ambassador Celso Lafer, and also for Brazil's contributions to the Conference's negotiations on the CTBT.

I wish to welcome the participation of the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom, His Excellency Mr. David Davis, in this meeting. We are looking forward to hearing the statement that he will be delivering in a few moments' time on the CTBT negotiations.

I would like to take this opportunity to welcome Ambassador Fisseha Yimer of Ethiopia, who is today participating for the first time in the meetings of the Conference on Disarmament, and to express the readiness of the delegation of Egypt to cooperate with him and with the other members of the Conference.

I have asked for the floor today in order to inform the Conference on Disarmament that, on 11 April 1996, the Egyptian capital, Cairo, hosted the signing ceremony of the African Nuclear-Weapon-Free-Zone Treaty. On that day, 45 African States signed the Treaty and 4 nuclear-weapon States and Spain signed the relevant protocols. Such overwhelming success on the first day of the opening for signature of the said treaty is unprecedented and augurs well for the speedy entry into force of the African Nuclear-Weapon-Free-Zone Treaty.

(Mr. Zahran, Egypt)

The Cairo Declaration, which was adopted on that occasion, states that the African State signatories of the African Nuclear-Weapon-Free-Zone Treaty (the Pelindaba Treaty) decided that the first meeting of the Conference of States Parties to the Treaty would be held not later than one year after its entry into force. They also endorsed the establishment of the headquarters of the African Nuclear Energy Commission in South Africa. These developments took place following the reintegration of South Africa in the international community as a multiracial State, a principle that is clearly reflected in the new South African Constitution which was adopted at Cape Town on 8 May 1996. I seize this occasion to congratulate the delegation of South Africa.

The signing ceremony at Cairo represented the culmination of a process which started 32 years earlier when the First Conference of Heads of State and Government of the Organization of African Unity held at Cairo in 1964 adopted the Declaration on the Denuclearization of Africa. Although the political conditions prevailing on the African continent at that time were not conducive to speedy progress towards the achievement of the objectives of the 1964 Cairo Declaration, the diligent endeavours that were subsequently made by African experts between 1991 and 1995, with effective assistance from the United Nations acting in collaboration with the Organization of African Unity, bore fruit and gave birth to the largest nuclear-weapon-free zone in terms of the number of States involved. The African nuclear-weapon-free zone constitutes an important structural component of the framework of article VII of the Nuclear Non-Proliferation Treaty, together with other zones such as those of Antarctica, Latin America (Tlatelolco), the South Pacific (Rarotonga) and South-East Asia. The African Treaty represents a further step towards a nuclear-weapon-free southern hemisphere. In fact, being a comprehensive African test-ban treaty, it is a step towards a worldwide ban which we earnestly hope will soon apply comprehensively under the terms of the comprehensive test-ban treaty, which is in the final stage of negotiation in the Conference on Disarmament session this year.

The protocols to the African Nuclear-Weapon-Free-Zone Treaty provide the States parties thereto with comprehensive security assurances against the use or threat of use of nuclear weapons. They go far beyond the unilateral or multilateral declarations made by the nuclear-weapon States and Security Council resolutions 255 and 984. That step is an incentive to continue work towards ensuring that such assurances are extended universally to all non-nuclear-weapon States which have clearly and unambiguously renounced the nuclear option in a legally binding manner.

The African nuclear-weapon-free zone will also be a zone in which the dumping of nuclear waste will be prohibited. We are confident that the African continent will no longer be viewed as a cheap dumping ground for nuclear waste. The African environment must be preserved from this danger that is threatening the basic human rights, health and well-being of the African peoples, including their right to life and their right to health protection in accordance with the Universal Declaration of Human Rights. Therefore, the Treaty is a step forward towards safeguarding the concept of the right to development as a basic human right, since all disarmament measures help to create the conditions needed for the promotion of development.

(Mr. Zahran, Egypt)

The establishment of an African nuclear-weapon-free zone testifies to the developing countries' commitment to the cause of nuclear disarmament worldwide. The importance of this event should not be overlooked and the message that it conveys, at both the international and regional levels, cannot be ignored. Clearly, notwithstanding the diligent efforts made by the non-nuclear-weapon States, the primary responsibility for finally ridding the world of all nuclear weapons is not borne solely by those who do not possess such weapons. Nuclear-weapon States as well as threshold States must finally commit themselves fully and unambiguously to the total elimination of all nuclear weapons within a well-defined and legally binding time-frame. To this end, as has been affirmed in various forums including the Conference on Disarmament, the Group of 21, the United Nations General Assembly and the Non-Aligned summits, the Conference on Disarmament must rapidly include a separate item on nuclear disarmament on its agenda and establish an ad hoc committee to deal with this item. The said ad hoc committee would begin its work immediately after the conclusion of the negotiations on the CTBT during the 1996 session of the Conference on Disarmament.

It is worth noting on this occasion that Egypt, as a State party to the NPT and as a signatory of the African Nuclear-Weapon-Free-Zone Treaty, has submitted every year since 1974 a resolution to the General Assembly of the United Nations on the establishment of a nuclear-weapon-free zone in the Middle East. In addition, in 1990 President Hosni Mubarak proposed the establishment of a zone free from all weapons of mass destruction in the same region. Both of these initiatives have on numerous occasions received broad support from the international community. However, to our deep regret, no positive steps have yet been taken by the international community to put either of them into effect, for very well-known reasons. Now following the signing of the African Nuclear-Weapon-Free-Zone Treaty, we are hopeful that a more favourable international and regional environment will be created to achieve progress towards the establishment of a nuclear-weapon-free zone and a zone free from all weapons of mass destruction in the Middle East. We therefore call upon Israel to cooperate with us in this regard and we urge it yet again to adhere to the Non-Proliferation Treaty and to place all of its nuclear facilities under IAEA supervision in order to cooperate with a view to the establishment of the said zone. I refer in particular to the importance of holding discussions on this matter in the Multilateral Arms Control and Regional Security Working Group which was established at the Middle East peace conference held at Madrid.

Mr. President, in conclusion I wish to inform you that I have requested the secretariat to distribute the text of the Cairo Declaration, which was adopted on the occasion of the signing of the African Nuclear-Weapon-Free-Zone Treaty at Cairo on 11 April 1996, as an official document of the Conference on Disarmament (document CD/1390 of 16 April 1996).

The PRESIDENT: I thank the representative of Egypt for his statement. I now give the floor to the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, His Excellency Mr. David Davis.

Mr. DAVIS (United Kingdom of Great Britain and Northern Ireland): Mr. President, may I start by thanking you and others for your kind words of welcome today?

This is a vital moment in the history of the Conference on Disarmament. Rarely if ever has the international community followed your deliberations more closely. You have an opportunity to contribute to the new post-cold-war order and to reinforce the international norm of global non-proliferation. In a word, you are in a position to write history. Your task is clear. You have a firm mandate to negotiate a comprehensive nuclear-test-ban treaty. The time-frame is also clear. At the Conference, almost exactly a year ago, at which 175 States agreed without a vote to extend indefinitely the Non-Proliferation Treaty, the parties to that Treaty committed themselves to work to complete a CTBT in 1996. The United Nations General Assembly last autumn reinforced that decision and looked to endorse the CTBT at its session this autumn. I readily understand that this is no easy task. At this important stage of your work, it is a source of disappointment to my Government that 36 countries are still waiting for admission to the Conference on Disarmament. While we value the participation of most of these as active observers, we would have liked to see them as members at the earliest opportunity. I have no easy solution to this difficult problem, but I would like to place on record again my Government's support for the widest possible expansion of your membership. We continue to believe that all those who have applied to date should be admitted at once.

Multilateral negotiations, despite their complexities, are firmly rooted in the concerns of the real world. Negotiations will only prosper if the international environment is favourable. The Chemical Weapons Convention, the negotiation of which stands as one of this Conference's greatest achievements to date, is an excellent example. It gives me the greatest pleasure to announce that the United Kingdom instrument of ratification was deposited in New York on 13 May. We urge others to complete ratification as soon as possible and look forward to the Convention's early entry into force.

In the case of efforts to ban nuclear testing, a good start was made as long ago as 1963 by the conclusion of the partial test-ban Treaty. Since then, the United Kingdom has taken part in attempts to conclude a comprehensive ban.

Earlier efforts failed because the security environment at the time did not allow for sufficient confidence between the States who were then concerned. But now, at the end of the cold war, the time for a CTBT has come. My country firmly supported the start of negotiations in 1994 and has participated actively from the beginning.

My Government's policy on nuclear testing is quite clear. British Ministers have stated on several occasions - and I am glad to be able to repeat to you today - that we are willing to sacrifice the possibility of testing. But self-denying ordinances are not enough. In the current climate, the international community rightly demands a universal, indefinite and effectively verifiable treaty that will ban all nuclear-test explosions.

(Mr. Davis, United Kingdom)

I would like to explain to you why Britain is such a firm supporter of a comprehensive test-ban treaty, given that - as is well known - we firmly believe that nuclear deterrence has made a major contribution to security in Europe over the past 50 years.

There is no doubt that a test ban will be a genuine sacrifice for us. It will limit the capability of all the nuclear-weapon States to develop new nuclear weapons and to modernize their existing stocks. But this is in our view a price worth paying.

We believe that a CTBT can make an important contribution to international stability. It will make nuclear proliferation more difficult. And it will help to create a security climate in which the proliferation of nuclear weapons will increasingly be seen as irresponsible and unacceptable.

The CTBT is one element of a broader process in which the United Kingdom, and our allies, have played a major part. We have responded to the end of the cold war by reducing the status of nuclear deterrence in our defence posture. Together with our allies, we have been able to make substantial reductions in our nuclear forces.

Our recent signature of the protocols to the South Pacific and African nuclear-free-zone treaties, as mentioned by Ambassador Zahran, creates further landmarks, which inter alia confirm that we see a permanent end to testing as a desirable and realistic goal.

It remains the case, however, that the continuing uncertainties which characterize our security mean that we cannot accept a commitment to a deadline for the elimination of nuclear weapons, nor do we believe that the Conference on Disarmament could usefully address these issues.

Those who insist on such moves as conditions for the completion of a comprehensive test-ban treaty know that the effect would be to sacrifice the treaty they claim to want. They should remember that they would have to answer to the international community if they were to frustrate one of its long-held objectives.

Indeed, it seems bizarre to us that there are some voices suggesting that the declared nuclear Powers should pay for the privilege of accepting constraints on our capabilities.

It is all the more bizarre when any objective observer would recognize that, if our goal is to promote international stability and to prevent war, we would focus our attention first not on nuclear weapons but on those conventional weapons which cause actual and great suffering every day. That is why we have consistently argued that the Conference on Disarmament should work on a balanced agenda covering both conventional armaments and weapons of mass destruction.

(Mr. Davis, United Kingdom)

Our willingness to make sacrifices is only rational in the context of an internationally endorsed framework for non-proliferation to the universality of which its parties are fully committed. It is no accident that we repeated out commitment to a CTBT in New York last May.

Having set out the fundamental principles underlying our approach, I should like now to turn in a little more detail to the kind of treaty we expect to see. In our view, the CTBT must have three fundamental qualities. It must be truly comprehensive. It must be effectively verifiable. And it must be universal.

First, it must be truly comprehensive. We have lent our strong and unequivocal support to the principle that the treaty should ban any nuclear weapon test explosion or any other nuclear explosion, however small. This approach has set the standard for the negotiations. No other single decision has given them such a clear boost. I strongly urge those who have not yet done so to join with us in agreeing to a treaty on this basis.

The treaty must also be effectively verifiable. Verification, both by the international monitoring system and through a rigorous procedure for on-site inspection, is vital if the treaty is to act as a deterrent against testing.

We consistently support the highest standards for the verification of arms control and non-proliferation treaties. The CTBT must be no exception. It is therefore fitting that Dr. Peter Marshall, a member of the United Kingdom delegation, should be playing such a vital role as Friend of the Chair on the international monitoring system technologies.

But, however good the IMS will be, it is in our view essential that parties should be able to bring all relevant information to bear in the verification process. No artificial distinctions should be drawn, and no source of data be excluded.

Our third requirement is that the CTBT should be universal. We have argued strongly that the treaty should not enter into force without the adherence of those countries who could potentially test a nuclear device.

The way in which this requirement should be met is a matter for you in negotiation. It may be that the formula should take account of the fact that the vast majority of States are already prohibited by other treaty obligations from testing.

I should make absolutely clear that we do not hold this position so firmly because we have some absurd secret desire to see the treaty collapse so that we can test again. Having made clear that we have no plans to test again, we can have no interest in seeing the negotiations fail - just the opposite. We have the greatest possible interest in seeing these negotiations succeed. But it is vital that the international community should not miss the opportunity to make a real contribution to non-proliferation and global stability by the establishment of a universal treaty.

(Mr. Davis, United Kingdom)

My country firmly supported the 1994 mandate to negotiate a comprehensive test-ban treaty. In agreeing to the indefinite extension of the Non-Proliferation Treaty last year, we also agreed to work to conclude negotiations this year. That remains our objective today. We welcome the unstinting effort of Ambassador Ramaker to guide the Ad Hoc Committee to a consensus.

But our sights do not stop there at the CTBT. We equally firmly support an early start to negotiations on a fissile material cut-off treaty in accordance with your mandate agreed last year. We share the views expressed not only in this chamber, but also by consensus at the NPT Review and Extension Conference and at the United Nations General Assembly, that such a treaty would contribute to the objectives of non-proliferation and global security.

We hope that progress will be unblocked rapidly and that negotiations will be able to commence soon after the completion of the CTBT.

But first things first. For the first time, a truly comprehensive, universal and effectively verifiable test-ban treaty is clearly in sight. As I said at the beginning, you are in the business of making history. On behalf of the British Government I wish you every success in the coming weeks.

The PRESIDENT: I thank the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Croatia, Ambassador Madey.

Mr. MADEY (Croatia): Today I feel honoured to address the Conference on Disarmament at the time when it enters the critical phase of important negotiations. The international community expects that they will be concluded as scheduled and with a positive outcome. The Croatian delegation wishes you, Mr. President, as well as other distinguished delegates, success in discharging your challenging responsibilities.

The importance of today's meeting is even greater, as I am privileged to deliver the first ever statement on behalf of the Republic of Croatia before the Conference on Disarmament. Besides that symbolic meaning, this fact demonstrates my country's sincere desire to make its modest contribution to the process of disarmament and to the promotion of peace and security in the world. That contribution is possible particularly now, as Croatia is an independent and sovereign State, whose remaining occupied territory will soon be peacefully brought under its authority. The strength of our commitment to the cause of disarmament is reinforced by our own grave experience of the importance of a credible force and armaments to fight against aggression and, on the other hand, the human tragedy, suffering and destruction that armaments and the imposed war have caused to our country and its population. Let us not forget nearly 11,000 killed, 38,000 wounded, 2,800 still missing, and war damage estimated at nearly 27 billion United States dollars.

After gaining independence, one of the first steps of my Government was to notify its accession to all major disarmament and arms control treaties.

(Mr. Madey, Croatia)

It has been done on the ground of succession to the predecessor State, the former Socialist Federal Republic of Yugoslavia, in order to avoid and dismiss any kind of legal vacuum and political dubiety, and desirous to act as a responsible member of the international community. By acting in this way, Croatia at that early stage clearly showed her determination to ensure transparency in this sensitive area of international relations. Given her difficult position at that time, such a determination required even more courage. Despite all the calamities we were exposed to, we have none the less employed our best efforts in participating actively in the work of numerous preparatory commissions and expert groups dealing with multilateral disarmament and arms control issues. In that context allow me to recall the ratification of the Nuclear Non-Proliferation Treaty by the Croatian Parliament and our active contribution to the results of the NPT Review Conference.

On 23 May 1995 Croatia deposited the instruments of ratification of the Chemical Weapons Convention, thus becoming the 28th State to do so. As we have expressed our strong commitment to this unprecedented document and its principles, we would encourage the widest possible adherence to the CWC, particularly by the countries neighbouring Croatia. Those States, which have not yet done so, should accede bearing in mind that equality and mutuality in commitments is the cornerstone of confidence-building.

It should, however, be stressed that the concept of a chemical weapons ban means little, if anything, without the ratification of two main possessors. Their definite international legal acceptance of the Convention and their readiness to undergo its intensive verification mechanisms is of vital importance for the CWC's successful taking-off. Otherwise, we are running a risk of creating just another non-proliferation system.

Within the limits of its possibilities Croatia has also participated in the work of the CCW Review Conference, conscious of the disastrous effects and human suffering that anti-personnel land-mines have been creating worldwide in all regional and local conflicts. Regretfully, in our country and in Bosnia and Herzegovina, millions of those weapons are still indiscriminately scattered, thus still inflicting casualties among civilians and military personnel, now in times of peace. For these concerns and because of its desire to promote the cause of peace, Croatia declared on 19 April 1996 a total moratorium on the use, production, stockpiling, import and export of anti-personnel land-mines, booby-traps and remotely delivered anti-personnel mines.

Croatia also attaches great hopes in regard to another important event on the gradual, but steady path towards elimination of weapons of mass destruction in the Forth Review Conference of the States Parties to the Biological (Bacteriological) Weapons Convention, scheduled for the fall of this year, which offers an opportunity for the creation of an effective and comprehensive verification regime for the Convention - an element which has been lacking and the absence of which has been its main shortcoming.

In the last two years we have witnessed tremendous efforts by the Conference on Disarmament to negotiate the comprehensive test-ban treaty.

(Mr. Madey, Croatia)

This comprehensive and effectively verifiable legal document should contribute to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects. Its conclusion by the end of June is a task of the highest priority and it must be negotiated in a manner so as to enable that the signing of the document takes place at the outset of the fifty-first session of the United Nations General Assembly. Once this is done, it will certainly not represent the final word on the issue of nuclear disarmament which remains an important goal to be achieved.

At this crucial stage of negotiations Croatia also desires to note the risk to which effective verification, one of the CTBT's key elements, is exposed in case the concept of "peaceful nuclear explosion" is adopted. In our view it would considerably weaken the credibility of the treaty and would raise a great number of ambiguities. Furthermore, at this stage, such a proposal serves nothing else, but to complicate and prolong the negotiations. Hence, we support the true zero option - once and for ever.

Concerning the seat of the future CTBT organization, Croatia too supports the candidature of Vienna, convinced that the proven efficiency of the institutions already hosted by this city provides a solid guarantee for the effective and successful work of the organization. There are also additional reasons, which, for the sake of practicality and cost-efficiency, advocate the candidature of Vienna. Having the CTBTO collocated with IAEA and other organizations in the Vienna International Centre would certainly considerably facilitate the functioning of the Conference and the Executive Council. For the most part, the organization's technical secretariat could operate from within IAEA and the international monitoring system could be organized in such ways so as to make full use and take advantage of the existing IAEA facilities. Such an approach would help to avoid a great deal of unnecessary additional costs for the member States.

In this brief expose allow me to reiterate that Croatia, its people and the Government are fully dedicated to the establishment of peace in our immediate region, which during the last five years has experienced aggression with unprecedented brutality and destruction. Those aggressive and expansionist nationalistic goals of establishing the so-called "greater Serbia" in the territory of the former Yugoslavia were not fortunately achieved due to the resistance of the Croatian people and its army, who, in 1991, were inferior in armaments, but superior in morale and a high goal to achieve Croatian independence. Now when that dream is a reality, Croatia wishes to enjoy the fruits of peace and development. As an integral part of Europe and its civilization, we will strive to promote links which bring our interests together. The recent decision to recommend the admission of Croatia into the Council of Europe, being our long-awaited objective, represents a joint investment in future democracy and stability in this part of Europe. Therefore, our expectation is that the Committee of Ministers will confirm our membership in the Council. Continuing along this path towards full integration into European economic and North Atlantic security structures, to begin with the Partnership for Peace, Croatia is prepared not only to draw the benefits, but to assume all responsibilities as well.

(Mr. Madey, Croatia)

As peace and security are our vital interests, the implementation of the General Framework Agreement negotiated at Dayton and signed in Paris carries our commitment and attachment, which was frequently reaffirmed and proven in situations when difficulties were arising. In that context, the subregional arms control negotiations being held now in Vienna in accordance with article IV of annex 1-B of the said Agreement are entering into their critical and hopefully final stage. In a region which is seriously struck by mistrust and suspicion, reduction of arms, together with effective verification mechanisms, is a must for everybody striving to achieve the required stability. As one of the participants in that process, we expect the others to make their full contribution and in good faith. Thus, together with the implementation of the Basic Agreement on Eastern Slavonia, Baranja and Western Sirmium, where the crucial and most important phase of the reintegration process, demilitarization, is almost to take place, we can see the key elements of the normalization being shaped, only to be fully and irrevocably confirmed by mutual recognition within their international borders between the Republic of Croatia and the Federal Republic of Yugoslavia.

And, finally, a word on the question of the membership of the Conference on Disarmament, a highly controversial issue, for members and pretenders alike. Although Croatia's candidature for membership rests only few years, we share the frustration with those countries now in the "Group of 13", those like the Slovak Republic still legitimately arguing for its place, and others already selected on the so-called "O'Sullivan list", whose contribution to the extended Conference on Disarmament would correct obvious imbalances now present. The Conference, therefore, now faces two major challenges which will determine its future, as important as retaining the negotiating character of this unique United Nations forum. One is the CTBT, the other is expansion of the membership, where a place should be found for countries like Croatia and the rest of the Group of 13.

In that group, three countries are legitimate and equal successors of the former Yugoslavia, which demonstrates their keen and active interest in disarmament issues. As the seat of the former Yugoslavia in the Conference on Disarmament is empty, let me reiterate on this occasion our stand, confirmed by the Security Council and the General Assembly of the United Nations and by the Badinter Commission, to the effect that no State from the dissolved SFRY can claim sole and automatic rights of membership of the former Yugoslavia in United Nations organs, and in particular the provisions of resolution 47/1 of 22 September 1992 of the United Nations General Assembly, which requests the Federal Republic of Yugoslavia (Serbia and Montenegro) to apply for membership. We expect the Conference on Disarmament member States to fully respect and adhere to this position.

With these words I would like to repeat our good wishes for the successful work and outcome of this session of the Conference on Disarmament.

The PRESIDENT: I thank the representative of Croatia for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of the Russian Federation, Ambassador Berdennikov.

Mr. BERDENNIKOV (Russian Federation) (translated from Russian): It gives me pleasure to welcome the representative of the friendly country of Nigeria to the responsible post of President of the Conference on Disarmament. I sincerely wish you success in guiding the work of our forum. I would also like to welcome the new Ambassador of Ethiopia among us and to thank the Minister of External Relations of Brazil and the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom for their important statements and their attention to the work of the Conference on Disarmament.

Today I have taken the floor in order to draw the attention of the participants in the Conference to official documents which are of direct relevance to the negotiations here in the CD on the comprehensive nuclear test ban, and also to explain the stance of the Russian delegation on an important aspect of these negotiations.

First of all, on behalf of the delegations of France and Russia, I should like to present document CD/1393, dated 30 April 1996, which has been distributed in the Conference on Disarmament at the request of these two delegations as representatives of the countries which co-chaired the Moscow summit. It contains a joint statement on the comprehensive nuclear-test-ban treaty (CTBT) adopted in Moscow on 20 April 1996 by the participants in the Moscow summit on nuclear safety issues. The statement reads:

> "We affirmed our commitment to conclude and sign a comprehensive nuclear-test-ban treaty (CTBT) by September 1996. We agreed that a CTBT will be a concrete step toward the achievement of one of the highest-priority objectives of the international community in the field of disarmament and non-proliferation, and the fulfilment of the obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We also agreed that the CTBT must prohibit any nuclear weapon test explosion or any other nuclear explosion. We affirmed that this would constitute a truly comprehensive nuclear test ban.
>
> "In this connection, we recalled the importance of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted on 11 May 1995."

I would like to hope that this statement will promote the achievement of the tasks facing the CTBT negotiations.

Continuing this statement now on behalf of the Russian delegation alone, I would like to note that the outcome of the Moscow G-8 summit on nuclear safety issues, as well as the results of the State visit to China by the President of the Russian Federation, B.N. Yeltsin, create favourable conditions for the successful completion of the CTBT negotiations in the very near future. Today, regarding one of the key issues of the negotiations, namely the scope of the ban in the future treaty, I would like to remind you that the Russian delegation has always argued that this treaty should contain no threshold restrictions whatsoever. We note with satisfaction that this approach is now shared by other participants in the negotiations. In this connection I would like to confirm that the Russian delegation supports the

(Mr. Berdennikov, Russian Federation)

proposal on the language of the treaty article concerning its scope which is contained in working paper No. 222 of the Conference on Disarmament's Ad Hoc Committee on a Nuclear Test Ban of 9 March 1995. Its our understanding that this proposal does not contradict the provisions of the 1963 Moscow partial test-ban Treaty and provides for an extension of the prohibition contained in that treaty to the underground environment. Thus, if this proposal is accepted, any nuclear weapon test explosion or any other nuclear explosion in any environment will be banned forever without any "thresholds". We call upon all other delegations which have not yet done so to lend their support to the language of the article on scope contained in document CD/NTB/WP.222 of 9 March 1995.

At the same time, I am instructed to state that a decrease in the reliability and the safety of any of the key types of Russian nuclear weapons could be assessed by us as a threat to our country's supreme national interests, and also that when the CTBT enters into force, and pending the complete elimination of nuclear weapons, which remains our ultimate goal, Russia will be obliged to conduct nuclear stockpile stewardship activities, including test site activities, which do not run counter to the ban to be imposed by the future treaty.

I would also like to note that the Russian delegation has requested the secretariat of the Conference to distribute as an official document of the CD a statement made in Moscow on 19 April 1996 by the Press Secretary of the President of the Russian Federation concerning the comprehensive nuclear-test-ban treaty. The statement reads as follows:

"The Russian Federation is a consistent advocate of a comprehensive nuclear test ban. In October of this year it will be five years since Russia introduced a moratorium on nuclear testing.

"I am convinced that the comprehensive nuclear-test-ban treaty (CTBT), the drafting of which is now entering a decisive phase, will be a powerful factor preventing the proliferation of nuclear weapons and their qualitative improvement.

"Guided by the desire to facilitate the prompt elaboration of the treaty in the Conference on Disarmament, I wish to declare that Russia supports the commitment to ban all nuclear weapon test explosions and all other nuclear explosions in any environment.

"Our approach is based on the fact that Russia, like the other nuclear Powers, will bear special responsibility for ensuring the safety of its nuclear arsenal pending the general and complete elimination of nuclear weapons, which remains our ultimate goal.

"In this connection, when the CTBT enters into force Russia will be obliged to conduct nuclear stockpile stewardship activities which do not run counter to the ban to be imposed by the future treaty. To this end, the following measures will be implemented:

(Mr. Berdennikov, Russian Federation)

"1. Adoption and implementation of a federal programme of activities to ensure the safety and reliability of the Russian nuclear arsenal without conducting nuclear explosions.

"2. Support for existing Russian nuclear centres and implementation of programmes in the field of theoretical and investigatory nuclear technology projects, which will ensure maintenance of the scientific and technological potential and the high level of skills of scientists, designers and employees in these nuclear centres.

"3. Maintenance of the basic capability for the possible renewal of nuclear testing activities in the event that the situation develops in such a way that the Russian Federation ceases to be bound by the restrictions contained in the treaty.

"4. Continuation of activities aimed at improving our capabilities for monitoring the ban on nuclear testing.

"5. Further improvement of information-gathering and analytical resources, including intelligence resources, to ensure the collection of reliable and timely information on nuclear arsenals, possible covert nuclear armament projects or other activities conducted by other countries that are of significance for nuclear weapons purposes.

"At the same time I wish to declare that Russia, if its supreme interests are threatened, will make use of its right to withdraw from the treaty in order to conduct all necessary tests which may be called for if there is no other possible means of confirming a high level of confidence in the safety or reliability of any of the key types of Russian nuclear weapons.

"While expressing our support for the decision on this matter taken by the 1995 Conference on the Review and Extension of the Treaty on the Non-Proliferation of Nuclear Weapons, we call upon all participants in the negotiations on the comprehensive nuclear-test-ban treaty to do their utmost to complete the negotiations no later than September 1996."

The PRESIDENT: I thank the representative of the Russian Federation for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Sri Lanka, Ambassador Goonetilleke.

Mr. GOONETILLEKE (Sri Lanka): Mr. President, please allow me to extend to you warm congratulations and the best wishes of my delegation upon your assumption of the presidency of the Conference on Disarmament. Sri Lanka is fully confident that with your diplomatic skills and vast experience, you will be able to discharge the responsibilities of the high office of the presidency.

I would also like to take this opportunity to welcome the important statements made by His Excellency Mr. Luiz Felipe Lampreia, Minister of External Relations of the Federal Republic of Brazil, and His Excellency Mr. David Davis, Minister of State for Foreign and Commonwealth Affairs of the

(Mr. Goonetilleke, Sri Lanka)

United Kingdom, during this plenary meeting. May I also warmly welcome Ambassador Yimer of Ethiopia to the Conference on Disarmament?

You would recall that, in my statement to the CD of 1 February 1996, I assured the Conference of my Government's commitment to the early conclusion of the CTBT negotiations in keeping with the expectation of the international community.

It is heartening to note that, following the adoption by the United Nations General Assembly of resolution 50/65, the Conference has remained seized of the CTBT negotiations ever since its 1996 session began on 22 January. In between then and now, the CD has also worked inter-sessionally devoting its time entirely to the CTBT negotiations. The progress achieved by the Conference so far on this score is satisfactory. However, we have to acknowledge the fact that much more remains to be done and the time available to the Conference is running out fast.

If we are to reach our desired goal in time, that is by 28 June, the Conference needs to move at a much faster pace than it was able to during the first part of its 1996 session.

My delegation wishes to thank Ambassador Ramaker, Chairman of the Ad Hoc Committee on NTB, for bringing out a working paper (CD/NTB/WP.321 of 21 March 1996) on an outline of a draft CTB treaty. His working paper and the two preceding texts, namely the Iranian text and Australia's model treaty text with its explanatory notes, have no doubt contributed collectively to the CTBT negotiating process.

Meanwhile, the two working groups, under the able stewardship of Ambassador Berdennikov and Ambassador Zahran, have made their contribution to achieving progress respectively on treaty verification and legal and institutional issues, to the extent possible.

In the preface to the working paper, the Chairman of the Ad Hoc Committee on NTB had rightly identified the areas of the treaty and the protocol on which complete convergence of views remained to be achieved. They are its scope, preamble, composition of the executive council, technical secretariat, international data centre, on-site inspection regime and entry into force. There are yet other general areas which have not been fully covered to date.

These issues, which are both political and technical in character, are fundamental to the treaty. Resolution of these issues, need I say, is indispensable to early finalization of the draft treaty. Thus, we are at a critical juncture. Can we continue to proceed at the present pace and under the same arrangements we had up to now and reasonably expect to complete our work before the deadline? It is the view of my delegation that the pace has to be significantly accelerated and appropriate arrangements have to be made by the Chairman of the Ad Hoc Committee on NTB in order to clear the remaining major obstacles.

It is in this context that I thought I might express myself once again and stress that the CD as a whole must be ready to continue the CTBT

(Mr. Goonetilleke, Sri Lanka)

negotiations with a deeper sense of urgency, committing itself to work longer hours with or without conference services support. As for my delegation, it would be doing everything possible within its means, while reposing its confidence in, and extending cooperation to, the Chairman of the Ad Hoc Committee on NTB, to enable the ongoing negotiations to reach their logical conclusion by the end of June.

My delegation is quite confident that with a greater commitment and a faster pace, the Ad Hoc Committee, under the able chairmanship of Ambassador Ramaker, will be able to complete its negotiations in time to produce the draft CTBT and make it ready for adoption by the General Assembly as envisaged in United Nations General Assembly resolution 50/65.

The PRESIDENT: I thank the representative of Sri Lanka for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor? If not, I should now like to take up for decision the request received from Angola to participate in our work as a non-member. In accordance with past practice, copies of this request were placed in delegations' pigeon-holes on 7 May. It is now before you under cover of document CD/WP.474. May I assume that the Conference decides to accept this request without having to go to an informal plenary meeting, on the understanding that this would not constitute a precedent for any such future requests?

It was so decided.

The PRESIDENT: The secretariat has circulated, at my request, a tentative timetable of meetings for next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, merely indicative and subject to change if necessary. May I assume that this timetable is acceptable?

It was so decided.

The PRESIDENT: That concludes our business for today. The next plenary meeting of the Conference will be held on Thursday, 23 May 1996 at 10 a.m.

The meeting rose at 11.45 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.735
23 May 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 23 May 1996, at 10 a.m.

President: Mr. Abuah (Nigeria)

GE.96-61841 (E)

The PRESIDENT: I declare open the 735th plenary meeting of the Conference on Disarmament.

At the outset, allow me to extend a warm welcome to the Director of the Centre for Disarmament Affairs, Mr. Davinic, who will be following our proceedings during his mission to Geneva. His presence among us, at this important juncture in our collective striving for the finalization of the comprehensive test-ban treaty, is yet another demonstration of the importance attached by the Secretary-General of the United Nations to its successful and early realization. I should like to take this opportunity to renew to the Secretary-General of the United Nations our deep appreciation for the substantive and administrative support provided to our Conference.

I have on my list of speakers for today the representatives of Pakistan and Brazil (who will speak on behalf of the Group of 21).

I wish to remind you that this plenary meeting will be immediately followed by informal open-ended consultations on the review of the agenda of the Conference under the chairmanship of Ambassador Meghlaoui of Algeria.

I now give the floor to the representative of Pakistan, Ambassador Akram.

Mr. AKRAM (Pakistan): First of all, I would like to perform the very pleasant duty of welcoming our new colleague Ambassador Fisseha Yimer of Ethiopia to the Conference on Disarmament.

We are now at a decisive and critical moment in our negotiations for a comprehensive test-ban treaty. In the atmosphere of tension which accompanies this moment, the serenity with which you have conducted our work, Mr. President, has been a welcome tonic.

We had expected that this part of our session would be marked by an intensification of the multilateral negotiating process. On the contrary, our pace has become more sedate, even as our deliberations have been lifted to the level of the ad hoc Committee and beyond into more opaque realms. My delegation, nevertheless, remains optimistic that the CD will be able to meet its self-imposed deadline of concluding the CTBT negotiations by the end of June. However, the conclusion of the treaty must be the outcome of multilateral and transparent negotiations. A treaty which descends from heaven or elsewhere may arrest rather than accelerate our negotiations and the fulfilment of our deadline.

Pakistan remains committed - as we have been for over 30 years - to a genuinely comprehensive nuclear-test-ban treaty. As my Foreign Minister said, here, we are not about to change our mind now that the moment of truth is here. We believe that a CTBT "will be good for the world and it will be good for our region".

Questions regarding the comprehensiveness of the treaty have not yet been satisfactorily answered. There is, as we all know, a growing consensus in favour of the Australian formulation on the "scope" of the treaty. This formula was supported by some nuclear weapon States before and after they gave

(Mr. Akram, Pakistan)

up their desire to continue nuclear testing at low yields - the so-called hydronuclear tests. Now, "zero-yield" or subcritical tests will be continued for the same purpose.

I must state quite categorically, once again, that Pakistan strongly disagrees with the notion of "safety and reliability" tests. Such tests will subvert one of the main attractions of the CTBT of the world's peoples - the realization of nuclear disarmament through a process of attrition. Secondly, with a "cheap" international monitoring system, which is designed to detect explosions of 1 kiloton and above, how will it be possible to distinguish subcritical tests, which will be allowed under the Australian formulation, from low-yield tests, which will be banned? Thirdly, what assurance is there - technical or political - that such subcritical tests will not contribute to the qualitative development of nuclear weapons?

There should be answers to such questions and doubts if we are to develop a genuine consensus on the scope of the Treaty.

My delegation has long felt that one way to provide some reassurance regarding the scope of the CTBT could be to include a provision in the treaty spelling out its "purposes and objectives". We had earlier informally suggested inclusion of an article I on "Purposes and objectives" immediately preceding the article on scope. This encountered opposition from predicable quarters. We have now suggested in a working paper the inclusion of a separate section in the Preamble which would spell out the "purposes and objectives" of the CTBT, which should include: preventing the qualitative development of nuclear weapons; preventing the qualitative development of new kinds of nuclear weapons and systems; contributing to nuclear non-proliferation in all its aspects; promoting nuclear disarmament and the eventual elimination of nuclear weapons within a specific time-frame; and promoting international peace and security.

In parallel, we propose that the article on the "Review of the treaty" should provide for a periodic review of the implementation of the "purposes and objectives" of the CTBT.

My delegation has offered this suggestion as a compromise to overcome the differences which remain on the issue of nuclear disarmament, as well as the questions that arise relating to the scope of the treaty. We are flexible on the precise language that is agreed to describe the purposes and objectives of the CTBT. We believe agreement on this concept could help to overcome one of the most serious questions regarding the prospect of universal adherence to the treaty.

As the mandate of the ad hoc Committee on the NTB specifies, it must be "multilaterally and effectively verifiable". We have evolved an international monitoring system which will be deliberately limited to detecting nuclear explosions of 1 kiloton or more. It is acknowledged to be cheap. (The word "el-cheapo" perhaps is not in the dictionary but should go into the records of our Conference.) However, this deliberate limitation of the IMS is being used

(Mr. Akram, Pakistan)

as an argument for the conduct of on-site inspections and the employment of means of verification which are not "multilateral" but "national" - the so-called NTMs.

Pakistan believes that resort to on-site inspections should be extremely rare and a very serious political event. We will insist that an OSI can only be launched after it has been approved by a two-thirds majority of the Executive Council - the so-called "green light" approach. We will not agree to any dilution of the "green light" procedure.

Pakistan will also insist that buildings, sensitive facilities and inhabited areas, where a nuclear explosion obviously cannot be conducted, should be excluded from inspection or intrusion in the conduct of an OSI.

We remain strongly opposed to national technical means which could be used for harassment and undue interference in the sovereign affairs of States. Pakistan knows only too well how so-called NTMs can be abused to advance the aims of domination and discrimination. Any non-IMS data, if it is to be used to supplement IMS data, would need to meet certain stringent criteria e.g. clear definition of sources, technical screening and evaluation by the IMS/IDC. In this context, we must expressly rule out the use of any form of human intelligence or espionage.

Strangely, while pressing for the inclusion of NTMs, some Powers are seeking to truncate the role of the capabilities of the IDC. The IDC products must be accessible to all in a form which does not require further processing. Those who prefer raw data may of course choose to receive this; but they should not prevent others from benefiting fully from the capabilities of the IDC. Some have argued that adequate screening capabilities do not exist to create real confidence that the data processed extensively, especially for the benefit of developing countries, will yield authentic results. If such techniques do not exist, we wonder how individual countries will be able to draw the conclusions on which they may base a call for an on-site inspection.

It is evident that a comprehensive test-ban treaty can be effective and permanent only if it is accepted by all States. If one country tests, or retains the right to test, others whose security interests are affected cannot be expected to accept a one-sided restraint. While most countries have assumed binding obligations against acquisition of nuclear weapons and nuclear testing under the NPT, there are eight countries which have not done so and which are known, or generally considered, to have the capability to conduct nuclear-test explosions. Unless each one of these eight States signs and ratifies the CTBT, a test ban will not be comprehensive or sustainable. As we have said before: the CTBT is an "all or nothing" treaty.

My delegation has thus adopted, from a former colonial Power, the formula that the treaty should enter into force once it is ratified by 40 States including all the eight States I have mentioned. We are flexible about the total number of ratifications required for entry into force. We are also flexible about the precise manner in which the treaty indicates the requirement for ratification by the eight States that now have the capability

(Mr. Akram, Pakistan)

and the legal latitude to conduct nuclear explosion tests. But, we cannot accept any provision - such as a waiver clause - which could circumvent this requirement for adherence by all of these eight States.

Since it is primarily these eight States which are likely to be involved in the resolution of "ambiguous" or "suspicious" events, it is essential that they should be represented on a continuous basis on the Executive Council. A number of other States with a direct interest in the treaty's implementation could also serve continuously on the Executive Council. We remain flexible regarding the overall size of the Council, which should be based on some rational criteria, and its seats distributed on an equitable geographical basis.

Some of our colleagues are fond of the phrase, "end-game". We may well be close to the end of our negotiations. But this is no "game" and we hope that no games will be played here. My delegation expects to participate fully in the negotiations designed to evolve compromises on various important issues that remain outstanding. There should be no expectation or design to marginalize or circumvent the positions of certain delegations in this final and critical stage of our negotiations. Such an effort is likely to defeat the very objective it seeks - a CTBT that enjoys universal support and adherence.

The PRESIDENT: I thank the representative of Pakistan for his statement. I now give the floor to the representative of Brazil, Ambassador Saboia, who will speak on behalf of the Group of 21.

Mr. SABOIA (Brazil): I shall now make a statement in my capacity as Coordinator of the Group of 21.

As is well known, the Group of 21 has persistently pressed for commencement of negotiations on nuclear disarmament in the Conference on Disarmament. In that respect, and in view of the consultations being held by the Special Coordinator on the agenda of the Conference, the Group of 21 wishes to refer to its formal proposal (CD/1388) to immediately establish an ad hoc committee on nuclear disarmament, and reiterates its view that this ad hoc committee should commence immediately after the conclusion of the CTBT negotiations in 1996. The Group of 21 requests that this be duly taken into account by the Special Coordinator.

The PRESIDENT: I thank the representative of Brazil for his statement. Does any other delegation wish to take the floor at this stage?

Mr. VATTANI (Italy): I am taking the floor to draw the attention of the Conference on Disarmament to the declaration made by my delegation in its capacity as current President of the European Union Council, which has been tabled as an official CD document (CD/1396), circulated among participants of the Conference. The document to which I refer concerns the declaration on the negotiations on the comprehensive nuclear-test-ban treaty made on 22 April 1996 by the General Affairs Council of the European Union, to which the European Free Trade Association (EFTA) countries members of the European Economic Area (EEA), the Central and Eastern European countries associated with the European Union and the associated countries Cyprus and Malta aligned themselves.

The PRESIDENT: I thank the distinguished Ambassador of Italy for his statement. Does any other delegation wish to take the floor at this stage? This does not appear to be the case.

As this is the last plenary over which Nigeria will preside, permit me to make a few comments.

At the outset of our presidency, there were two major issues outstanding, namely the questions of nuclear disarmament and expansion of the membership of the Conference. There was also the work of the Special Coordinator (Ambassador Meghlaoui of Algeria) on the review of the agenda. Ambassador Meghlaoui will shortly give his preliminary remarks on his consultations. Today, upon the conclusion of this plenary meeting, he will hold informal consultations on the subject. Meanwhile, let me thank him for his efforts towards reaching a common position on the future agenda of the Conference. I urge him to deepen further his consultations.

The issue of nuclear disarmament has occupied our attention during Nigeria's presidency. We have built on the consultations of my immediate predecessors, Ambassador Aye of Myanmar and Ambassador Jaap Ramaker of the Netherlands, in order to explore how the Conference could best approach the matter. In the consultations, all delegations showed clear recognition of the importance of nuclear disarmament as the ultimate goal of the international community for a safe and secure world. However, delegations differed on how to proceed. We are yet to reach a consensus on the proposal of the Group of 21 to address the issue of nuclear disarmament. The process of consultations should therefore continue.

Regarding expansion of the membership of the Conference, we held bilateral meetings with CD members as well as its non-members that are directly affected by our decision contained in document CD/1356. I benefited from our consultations with the members of the Group of 23 individually and collectively. It appeared to me that we are now on the threshold of a breakthrough. It is my pleasant duty, therefore, to commend the matter to my successor to carry forward the consultations so that decision CD/1356 can be implemented as soon as possible. In this endeavour, let me place on record my gratitude to the delegations that brought about this happy prospect.

The negotiation for a comprehensive test-ban treaty has entered its final phase. In the 29 months since we began this noble enterprise, much work has been done. This is reflected in the rolling text and the profound impetus given to it by the Iranian and Australian texts. To accelerate our negotiation, a different strategy was recently introduced at the beginning of this part of our annual session. The objective is early conclusion of the negotiation to fulfil our mandate within the agreed time-frame.

Since then, there has been some movement on some difficult sections of the draft treaty. But there are still major differences on fundamental issues. There is no other way but to discuss the issues. It has not been easy, but at some point - in fact, before long - we should sit down to find genuinely acceptable language that can bridge the seemingly intractable differences on such areas as preamble, scope and entry into force. Success is

(The President)

within our grasp; we should not throw it away. We all need a sound CTBT which should command the support of all CD members and all other members of the international community.

The Chairman of the Ad Hoc Committee on a Nuclear Test Ban and his Friends have worked very hard to ensure that we stay focused on our goal. He has been assisted in his important efforts by the Chairman of Working Group 1, Ambassador Grigori Berdennikov, and the Chairman of Working Group 2, Ambassador Mounir Zahran. They all deserve a special tribute and our collective gratitude.

Similarly, as President, I enjoyed the support of all delegations. This cooperation has been useful. Let me place on record our gratitude for the immense cooperation of the Secretary-General of the Conference, Mr. Vladimir Petrovsky, his deputy, Mr. Abdelkader Bensmail, and the staff in the CD secretariat. Special tribute is also due to all other Conference officers and the interpreters. I salute them.

Now, I wish my successor, Ambassador Munir Akram, a successful tenure of office. To him now I pass the gavel, but before doing so, let us conclude some routine administrative matters.

The secretariat has circulated, at my request, a tentative timetable of meetings for next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, merely indicative and subject to change if necessary. My I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: The next plenary meeting of the Conference on Disarmament will be held on Thursday, 30 May 1996 at 10 a.m.

The meeting rose at 11 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.736
30 May 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 30 May 1996, at 10 a.m.

President: Mr. Akram (Pakistan)

GE.96-61951 (E)

The PRESIDENT: I declare open the 736th plenary meeting of the Conference on Disarmament.

It is an honour for me to assume the presidency of the Conference on Disarmament at this time. The wheel of fortune has placed Pakistan in this office at a delicate and intense moment.

It is quite understandable that the attention of delegations - and indeed world public attention - is focused on the conclusion of our historic negotiations for a comprehensive test-ban treaty. The successful conclusion of these negotiations will not only enhance the prestige of this body, it will contribute to halting nuclear arms development, promoting nuclear non-proliferation and strengthening international peace and security. No doubt, success in these negotiations will generate further public expectations regarding the future role of this Conference - the sole multilateral disarmament negotiating body.

As President of the Conference, I shall remain prepared to assist the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, Ambassador Ramaker, in any way possible to ensure the early and successful conclusion of the negotiations.

During my brief tenure, I shall also endeavour, with the cooperation of all concerned, to advance the work of the Conference on several outstanding issues, building on the very useful work done by my predecessors.

One of the most important among these outstanding issues is the expansion of the Conference on Disarmament. In his concluding remarks, my predecessor Ambassador Abuah had expressed some optimism regarding the possibility of a satisfactory resolution of this issue which has been pending for nearly three years. I intend to conduct consultations with all the concerned delegations and groups, including those States whose membership of the Conference was approved and is awaiting implementation in accordance with the Conference's decision in document CD/1356. The expansion of the CD constitutes an essential step in imparting a broader representative character to the negotiations for global disarmament. This larger membership will also reflect more accurately the new realities of the world. It will enable us to explore broader dimensions of the disarmament agenda, ensure greater depth and substance to the CD's deliberations and lend greater credibility to its decisions.

Earlier this year, when the Conference adopted its decisions concerning the agenda and the programme of work for 1996, it entrusted the President to conduct "intensive" consultations on the issue of nuclear disarmament. Unfortunately, so far, these consultations have not led to a decision. I believe a positive decision on this important question is essential for the CD to sustain its credibility and to facilitate the endeavours in the field of disarmament. Indeed, such a positive decision could even help to create the conditions required for the successful conclusion of the CTBT negotiations, where concern regarding the prospects of nuclear disarmament remains a central issue. I intend to hold intensive consultations with delegations on this

(The President)

issue. Following these consultations, further steps could be considered, including an informal meeting of the Conference to determine how best the issue of nuclear disarmament could be addressed in the CD in future.

The issue of the CD's agenda is gaining growing importance as we approach the end of the CTBT negotiations. Our Special Coordinator has presented an oral report which will also be circulated today. There was a useful preliminary exchange of views following Ambassador Meghlaoui's report. It will be important to keep this matter under active consideration. With Ambassador Meghlaoui's cooperation, I hope to convene one or more open-ended informal consultations with a view to ascertaining the areas on which progress could be made with regard to revising the CD's agenda, and, secondly, evolving an understanding on the issues on which negotiations should be commenced after the conclusion of the CTBT.

In securing the fulfilment of these goals, I shall continue to rely on the good will and cooperation of all delegations and on the constant and invaluable support of Secretary-General Petrovsky, Deputy Secretary-General Bensmail and other members of the CD secretariat.

I have on my list of speakers for today the representatives of Netherlands, Australia and Kenya. I would now like to give the floor to the representative of the Netherlands, Ambassador Ramaker, in his capacity as Chairman of the Ad Hoc Committee on a Nuclear Test Ban.

Mr. RAMAKER (Netherlands): I am pleased to see you in the Chair, and honoured to be the first speaker today under your presidency. I am confident that we will have excellent cooperation in this very crucial month of the existence of the CD, and I am most grateful for the support that you indicated that you would give me in my task as Chairman of the Ad Hoc Committee on a Nuclear Test Ban. I would also like to thank Ambassador Abuah, my successor and your predecessor, for the keen interest that he has shown in the work of the Ad Hoc Committee and in the gentle but wise way he has advised me during his tenure for the conduct of my work. Lastly, I would very much like to welcome Mr Davinic here, who has come from the Centre for Disarmament in New York to attend this crucial part of the nuclear-test-ban negotiations.

The day before yesterday I introduced in the Ad Hoc Committee on a Nuclear Test Ban the draft of a complete text of the comprehensive test-ban treaty we are currently negotiating. In my view, tabling such a complete text was essential in this late stage of the negotiations with a little over four weeks to go. Only in this way, delegations can see all outstanding issues, major and minor, in their proper context, in their interrelationship. Only in this way, with my text on the table, delegations will be able to see those issues as part of an integrated whole. By looking at the issues as a whole, delegations will hopefully also be able to see the overall balance that we have tried to bring about.

Today I take the floor, not as representative of the Netherlands, but in my capacity as Chairman of the Ad Hoc Committee on a Nuclear Test Ban, to explain in more detail some of the thinking that prompted me to follow one path rather than another with regard to a number of the key outstanding

(Mr. Ramaker, Netherlands)

political issues in my draft. I particularly wish to address the preamble, the basic obligations and the on-site inspection regime of the treaty as well as the questions of the composition of the Executive Council and entry into force.

There is no need to remind delegations of the many proposals that in the course of our negotiations were made by delegations with regard to the preamble. Few of these proposals were uncontested. Those that were, found of course their place in the draft text. But where major differences existed, we have been carefully considering formulations that could indicate where the balance between the desirable and the attainable could be found. We have tried for instance to find the proper wording for the place a comprehensive test-ban treaty should occupy in the process of nuclear disarmament as such. Our text also tries to find the proper wording to describe the relationship between the treaty and the qualitative improvement and development of nuclear weapons.

So, the preamble in my text stresses "the need for continued systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and of general and complete disarmament under strict and effective international control".

The preamble in my text also expresses the conviction that "the cessation of all nuclear weapon test explosions and all other nuclear explosions, by constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons, constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects".

The contribution that a comprehensive test-ban treaty can make to the process of nuclear disarmament has been reflected in the preamble by recognizing that the treaty "will thus constitute a meaningful step in the realization of a systematic process to achieve nuclear disarmament".

As in other disarmament treaties, in my draft I have opted for the term "basic obligations". After all, the scope of the treaty in my draft, that is, what the treaty intends to prohibit, comprises more than one obligation: States parties should not only refrain from all nuclear weapon test explosions and all other nuclear explosions, but they should also prohibit and prevent those at any place under their jurisdiction and control. Moreover, States parties undertake to refrain from causing, encouraging or in any way participating in the carrying out of any such explosions.

I have seriously considered proposals aimed at further defining the scope of the treaty. After careful study I had to conclude that in trying to do so, the consensus potential that the present formulation has would very quickly diminish drastically.

In this context, I finally wish to draw attention to the relationship that exists between the basic obligations as formulated in my draft scope text and the conviction expressed in the preamble that the comprehensive test-ban

(Mr. Ramaker, Netherlands)

treaty would constrain the development and qualitative improvement of nuclear weapons and would end the development of advanced new types of nuclear weapons.

In the draft I tabled earlier this week, I have sketched out an on-site inspection regime that tries to balance the concern that the regime should contribute effectively to the verifiability - and therefore the credibility - of the treaty, on the one hand, and concerns that the inspection regime should not jeopardize legitimate security concerns of States parties or even be abused or used in a frivolous manner on the other.

Concerns of the latter kind, in my view, are of course real, in particular if an on-site inspection regime were to combine unrestricted use of any kind of information, without any qualification, with the near-automaticity with which the Executive Council could decide to carry out an on-site inspection under a so-called "red light" procedure.

From the last weeks of our negotiations I have concluded, therefore, firstly, that the use of information derived from national technical means in the verification framework of the treaty should be acceptable in principle, but not in an unqualified manner. So my draft qualifies that the use of such means should be "consistent with generally recognized principles of international law". This notion has been included in the general provisions concerning verification so that such use could meet general verification needs under the treaty.

Secondly, balancing the concerns outlined above, I have also opted for a so-called "green light" procedure rather than a "red light" procedure for launching an on-site inspection. More specifically, my text requires a decision of the Executive Council based on a majority of all its members. Thus an on-site inspection, once approved, carries the weight and authority of the Executive Council, as the representative body of all States parties, rather than of only the requesting State party.

In the rare case, in my view, that an on-site inspection will be carried out, my text aims at achieving a balance in the regime for the conduct of such an inspection. This balance consists of an inspection that can be conducted as effectively as possible, on the one hand, but with overflight and access provisions on the other hand that guarantee respect for legitimate security concerns of the inspected State party during the inspection.

I carefully listened to the debate last week on the composition of the Executive Council of the future treaty organization. From that debate I understood that delegations generally welcomed the proposal drafted by the Friend of the Chair on that subject. The most important comments concerned the number of seats allocated to some groups. I have seriously considered the various views expressed on this issue, but nevertheless judged that it would not be prudent to change the overall number of 45 nor the distribution of the number of seats among the various groups. Too many claims for more seats could have resulted in a large and unwieldy Executive Council, where most delegations expressed the wish for a small Council that could operate efficiently. Some delegations also expressed concerns about the criteria for

(Mr. Ramaker, Netherlands)

designation of members of the Council. These criteria relate to nuclear capabilities, the number of monitoring facilities, experience in monitoring technology and financial contribution of States parties. I have tried here to balance the text so as to leave more flexibility to the geographical regions in applying those criteria, by indicating that Executive Council members should be designated not "according to" the four criteria, but "taking them into account".

After the meeting on entry into force last Thursday, I realized that, at the moment, no clear-cut solution acceptable to all - no magic formula, if you wish - exists for the entry into force of the CTBT. The provision that the treaty will enter into force after ratification by 37 States which are responsible for either a primary seismic monitoring station or a radionuclide laboratory was also criticized. Nevertheless, a number of delegations expressed an interest in this formula, and indeed it seems to indicate the way forward.

As I have said, we are a little over four weeks away from the day, the last day of this part of the session, on which we have to conclude the negotiations. With so little time left, I would have failed as a Chairman of the Ad Hoc Committee in which these negotiations are taking place if I had not provided delegations with a complete treaty text now. I sincerely hope that delegations will study this text carefully. It reflects my best judgement on where the potential for final agreement can be found. My judgement of course will have to be put to the test, no doubt a severe test of the negotiations that still lie ahead of us, before we have accomplished our task. In the remainder of this week I will make proposals for an optimal structure for our negotiations for the coming weeks. My only yardstick will be how best my proposals can serve the desired outcome. I myself will spare no effort to facilitate negotiations. I am confident that we can succeed. And succeed we must!

The PRESIDENT: I thank the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, who is also the representative of the Netherlands, for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Australia, Ambassador Starr.

Mr. STARR (Australia): Mr. President, it is undoubtedly our good fortune that the wheel of fortune has turned as it has and delivered you into the presidency. Allow me to offer the congratulations of my delegation on your assumption of office and assure you of our full cooperation and support. May I also express my appreciation for the work and achievements of your predecessor, Ambassador Abuah?

I have asked for the floor this morning to register some views on the CTBT negotiations. Australia believes that as a Conference we now stand poised and equipped to complete these negotiations in the four remaining weeks. We are encouraged by the growing sense of momentum and the flexibility and commitment shown by delegations. We believe the vast majority of delegations sense that we are close to the achievement sought for so long by many countries.

(Mr. Starr, Australia)

Like other delegations we are still studying the draft CTBT text tabled on 28 May by the Chairman of the Nuclear Test Ban Ad Hoc Committee, Ambassador Ramaker. We have also taken careful note of Ambassador Ramaker's plans for a programme of intensive consultations and negotiations over the coming few weeks.

In looking at CD/NTB/WP.330, I can say immediately that the Chairman's text reflects the deft touch, hard work and highly professional approach of Ambassador Ramaker and his delegation. We can also see from a preliminary reading that the language, structure and concepts in WP.330 should be largely familiar to all participants in these negotiations. We welcome the fact that this text is firmly grounded in the collective and tireless efforts of delegations and officers of the Ad Hoc Committee over the past two years and more. In this regard, I wish to pay particular tribute to the work of Ambassador Zahran, Ambassador Berdennikov and various Friends of the Chair whose guidance, energy and leadership produced much of the forward movement in the first part of this session that the Chairman of the Ad Hoc Committee has been able to harness. This has been an impressive team effort.

It does not follow from what I have said that the Chairman's text necessarily represents what we would have wished to see nationally. We are considering the significance of its content and the choices made by the Chairman and look forward to participating in the follow-on process. We recognize that this applies equally for other delegations.

But the Australian delegation accepts that this latest step in the process initiated by our Chairman is the best, and indeed only, means by which we can see the negotiations being finished successfully. Like other delegations we view the timely production of an outcome - an agreed treaty text as required by the international community - as the imperative which determines the procedures we use in working towards consensus. With this text, and the negotiated resources of the rolling text, we have the means to conclude the task before us.

At the outset of the 1996 session, this Conference collectively appointed Ambassador Ramaker to take up responsibility for the CTBT negotiations in the explicit expectation that he would lead our deliberations towards a successful outcome at a point that now lies barely a few weeks away. We have not been disappointed. We believe the steps he has taken have been appropriate and effective. We consider that, at this stage, a Chairman's text is the necessary vehicle to drive the final and decisive phase of our negotiation, and we give our full support to the process being initiated by Ambassador Ramaker.

It is time to conclude these negotiations. We have the tools to conclude. Whether we do or not and, in particular, whether we engage fully in the negotiating process set before us by Ambassador Ramaker will now reflect the seriousness of purpose that we bring to this task.

The PRESIDENT: I thank the representative of Australia for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Kenya, Ambassador Tolle.

Mrs. TOLLE (Kenya): Mr. President, let me at the outset begin by congratulating you on your assumption of the presidency of the CD at this crucial phase of our deliberations. Given your impeccable credentials as a skilled diplomat and negotiator, my delegation has full confidence that you will steer our task to the expected fruitful conclusion. My delegation wishes to assure you of its continued participation and support. May I also pay tribute to your predecessor, the distinguished and dynamic Ambassador of Nigeria, without whose guidance and discernment we would not have achieved the tremendous progress we have made during his tenure in office? Allow me also to welcome our colleague Ambassador Fisseha Yimer of Ethiopia, who has recently joined us as his country's Permanent Representative in Geneva and leader of the Ethiopian delegation to the Conference on Disarmament.

As I stated in my opening remarks, the Conference on Disarmament has reached a crucial phase in its negotiations for a comprehensive test-ban treaty. With only five weeks to go to conclude the treaty text, as expected by the international community, my delegation is concerned that the rolling text still remains heavily bracketed. A solution to the current stalemate, to various outstanding and seemingly thorny issues such as scope, on-site inspections, the role of the international monitoring system, international data centre and national technical means must be found. We call upon delegations to demonstrate political will by reviewing their positions to pave the way for the achievement of our goal. To this end, we are grateful to Ambassador Jaap Ramaker, who, in his capacity as Chairman of the Ad Hoc Committee on a Nuclear Test Ban, circulated working paper CD/NTB/WP.321 which provided an outline of a draft CTBT. We will all recall that, at the beginning of this session, Ambassador Ramaker, in his untiring efforts, introduced a new method of work at the meetings of the Ad Hoc Committee on a Nuclear Test Ban whose aim is to focus on the main outstanding issues and thereby accelerate the pace of progress in view of the time factor. The exchange of views we have had during the past two weeks has been very useful. We are also grateful for the Chairman's draft comprehensive nuclear-test-ban treaty text that was presented to the Ad Hoc Committee on 28 May 1996, introduced by Ambassador Ramaker this morning, which we are studying very carefully. We hope to make comments on this text at a later stage. However, my delegation is greatly concerned that to date no negotiation of the text has taken place at the NTB Ad Hoc Committee meetings. Time is of the essence, and if we are to make progress - and progress we have to make - my delegation is convinced that we should now focus our negotiations on the existing rolling text.

Kenya believes that the CTBT should ban all nuclear tests in all environments for all times. This is envisaged in the mandate of the Ad Hoc Committee on a Nuclear Test Ban: to negotiate intensively a universal and multilaterally verifiable comprehensive test-ban treaty, which would contribute effectively to the prevention of the proliferation of nuclear weapons in all aspects, to the process of nuclear disarmament and therefore to the enhancement of international peace and security. My delegation is opposed to any proposal that would allow selective testing. Anything short of a ban on all nuclear tests would not augur well for the CTBT as its objective would have been rendered impotent. Consequently, it is our view that the preamble should set out the principles and objectives of the treaty which are

(Mrs. Tolle, Kenya)

stipulated in our negotiating mandate, and should reflect the context in which the treaty was negotiated. Reference should also be made to the fact that some of the objectives of the treaty are to contribute to the promotion of non-proliferation of nuclear weapons in all its aspects, to prevent the qualitative development of nuclear weapons, and thereby promote nuclear disarmament. The treaty and its preamble should be subjected to periodic review to ensure that their objectives are being realized.

We welcome the offer by the Austrian Government to host the seat of the organization of the CTBT in Vienna. This offer is attractive as it entails the co-location of the CTBT organization with IAEA, whose administrative and support structure as well as its specific experience in verification would contribute to a reduction in start-up costs. Hence, my delegation joins others in agreeing that the seat of the organization shall be in Vienna, Austria. As regards the Executive Council, my delegation joins others in expressing our appreciation to Ambassador Bejelloun-Touimi for his commendable work in coming up with a non-paper, in his capacity as Friend of the Chair for the Executive Council, which we believe is a good basis for work. Kenya, however, like other African countries, is of the view that a better formula on the distribution of seats to the various regions, consistent with the provisions of the current rolling text, should be applied to reflect regional equitability and avoid marginalization. Furthermore, my delegation does not see the merit of granting permanent seats in the Executive Council. We should not lose sight of Africa's commitment to outlaw nuclear testing and the possession of nuclear weapons on its soil which was clearly demonstrated by the signing of the African Nuclear-Weapon-Free-Zone Treaty in Cairo, Egypt on 11 April 1996 by 45 African States, as well as 4 nuclear-weapons States and Spain. We hope that the remaining nuclear-weapon State will also sign the protocols.

Kenya has been identified as a host for a primary seismic station and an infrasound station for the international monitoring system of the CTBT at Kilimanbogo. The request which has been conveyed to the relevant authorities in Nairobi has been received favourably. My country looks forward to playing its active role and rendering full cooperation in this field. This is supported by the fact that the Government of Kenya has recently nominated Dr. Dindi from the Department of Geology of the University of Nairobi as its representative to GSE. My delegation hopes that the necessary funding can be arranged to upgrade and maintain the station at Kilimanbogo to meet the appropriate requirements for an IMS station, as well as the training of Kenyan scientists in transmitting, receiving and analysing data to and from the IDC. Furthermore, my country would be willing to consider any request for additional stations that may be required.

Kenya believes that the international data centre should perform the central function of verification by screening and analysing all events on a daily basis for the States parties. In our view, option 3, as listed in working paper CD/NTB/WP.312 of the Friend of the Chair on IDC, would best serve our purposes as all States parties do not have the capability to screen and analyse the data. On-site inspections should be the last recourse and should be conducted in the least intrusive manner following Executive Council approval.

(Mrs. Tolle, Kenya)

Kenya is a State party to the Non-Proliferation Treaty and has no intention of ever developing nuclear weapons. In view of the fact that the provisions of the NPT state that all parties to the treaties are entitled to participate in the fullest possible exchange of scientific information for, and to cooperate alone or in cooperation with other States to, the further development of applications of atomic energy for peaceful purposes, and taking into account that some economies, particularly those in Africa, are being liberalized, we expect those countries that already possess this technology to share the knowledge without discrimination through the transfer of nuclear energy for peaceful purposes.

During the first part of this session of the CD, the Group of 21 tabled a formal proposal calling for the establishment of an ad hoc committee for nuclear disarmament to commence negotiations on a phased programme of nuclear disarmament for the eventual elimination of nuclear weapons within a specific time-frame. Kenya believes that, following the conclusion of the CTBT, the CD should focus its attention on nuclear disarmament.

The issue of the expansion of the membership of the Conference has been on our agenda for a number of years. The Conference on Disarmament, as it currently stands, does not reflect the reality of today's international community. This forum has heard numerous appeals for the implementation of the CD decision on expansion contained in document CD/1356. Kenya wishes to reiterate her calls for the admission of all the 23 delegations as members of the Conference in order to make this forum more representative of the international community.

The PRESIDENT: I thank the representative of Kenya for her statement and for the kind words addressed to me. That concludes the list of speakers for this plenary meeting. Does any other delegation wish to take the floor at this stage? I see none.

I would just like to inform you that the secretariat has circulated an informal transcript of the preliminary remarks made by the Special Coordinator on the review of the agenda, Ambassador Meghlaoui of Algeria, in English and French. I believe that this transcript is already with delegations.

The secretariat has also circulated at my request a tentative timetable of meetings to be held next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, merely indicative and subject to change if necessary. The details of the meetings will be indicated by the Chairman of the Ad Hoc Committee, either in the open-ended bureau or in the Committee itself. On this basis, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: The next plenary meeting of the Conference on Disarmament will be held on Thursday, 6 June 1996 at 10 a.m.

The meeting rose at 11 a.m.